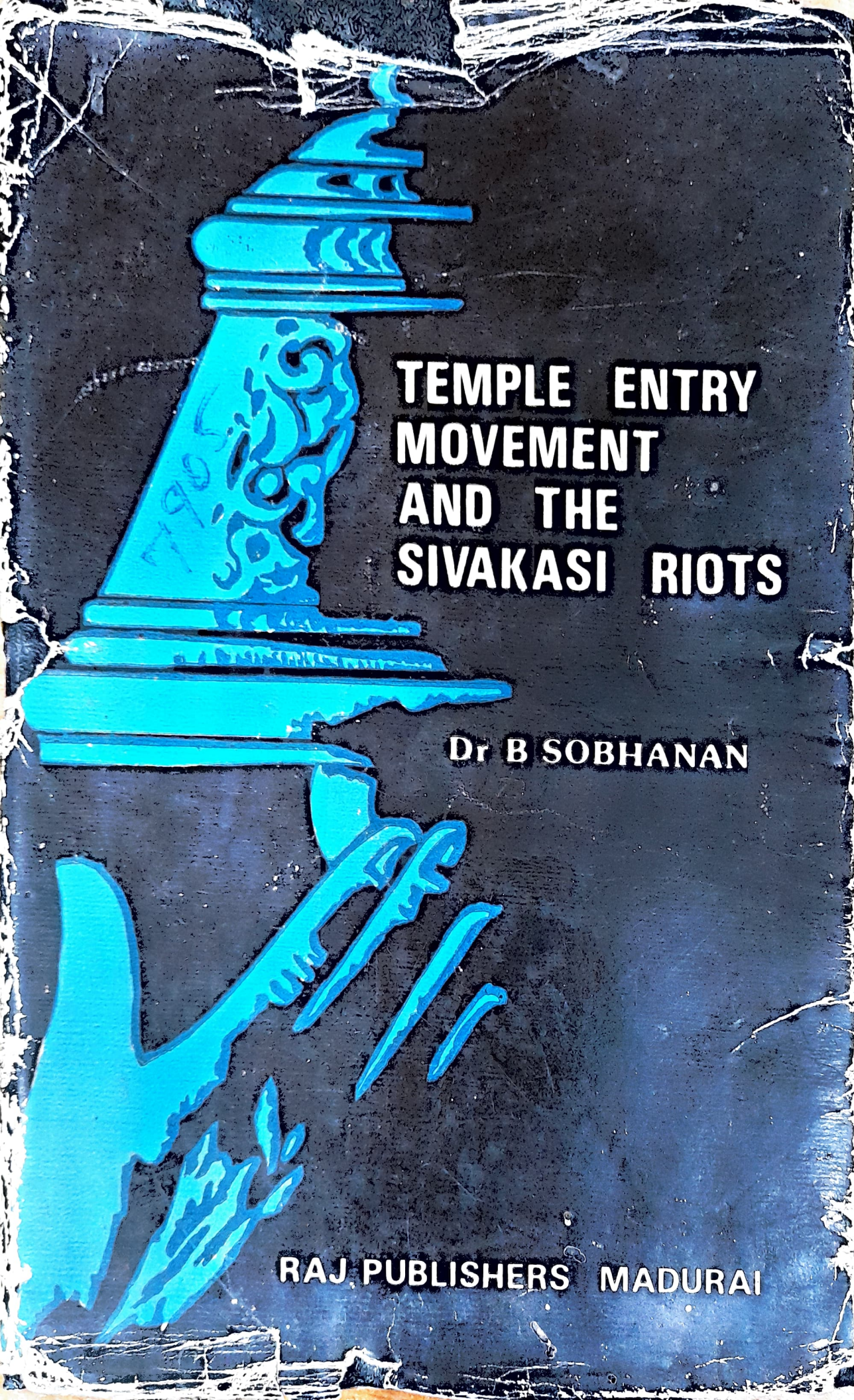

TEMPLE ENTRY MOVEMENT AND THE SIVAKASI RIOTS

Dr B SOBHANAN

RAJ PUBLISHERS MADURAI

About the book

This treatise, *Temple Entry Movement and the Sivakasi Riots* portrays a socio-religious protest sp an oppressed section of the against the tyranny of caste the last decades of the ninet It was not a mere process of S but a determined struggle aga segregation and social discri rising the banner of resist untouchability and unappro marked the beginning of a socio-religious equality and in South India. The study is on hitherto unexplored or ments gathered from the Tam Archives, Madras and the National Archives of India, New Delhi.

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AND
THE SIVAKASI RIOTS

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Dr. B. SOBHANAN

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FOREWORD

History which was mostly confined to the narration of political events has recently changed its trend by giving due emphasis to the life of the common people. Instead of reviewing the growth of civilization from above, attempts are made to analyse the human progress from below. Serious efforts are made by the scholars to narrate socio-religious movements which sprang spontaneously from the lower strata of the society. Dr. Sobhanan's work on 'Temple Entry Movement and the Sivakasi Riots' forms a welcome contribution to historical scholarship. Though much has been written on the socio-religious movements in India, the socio-religious protest which Dr. Sobhanan portrays in this monograph has not received any attention so long. Among the mass movements the temple entry movement remains without any parallel in the entire history of India, for it symbolised the resolve of the oppressed people to break a religious tradition, that they considered as obnoxious.

During the nineteenth century most of the socio-religious movements were piloted by great savants like Raja Ram Mohan Roy, Swami Dayananda Saraswati, Sri Ramakrishna Paramahamsa, Swami Vivekananda and others. Despite their commanding personality and equalitarian ideas the movements produced little impact on the life of the common people. It was mostly confined among the higher sections and failed to reach the grass root level. But the temple entry agitation represented a movement, that was uninfluenced by any leader or dogma, yet, a virtual crusade aimed at securing for the Nadars a legitimate status in the Hindu Society. In the present work, what is significant is that Dr. Sobhanan develops an excellent theory that under changed circumstances, penalisation and victimisation serve as a stimulus to activate the masses and to lead them to self assertion. I wish him success.

Prof. K. RAJAYYAN

PREFACE

The present work, *Temple Entry Movement and the Sivakasi Riots* attempts to discuss the socio-religious protest spearheaded by the Nadars of South India against the tyranny of caste system. While some of their brethren escaped the clutches of casteism through conversion to Christianity, the rest of them stood within the Hindu society and fought for their original status in the realm of society. It was not a mere attempt to secure the symbols of status in the form of Sanskritization alone but it represented an organised struggle against religious segregation and social discrimination. It marked the beginning of the struggle for socio-religious equality and civil liberties. By breaking the concept of horizontal movement of the castes, it represented a massive vertical movement which made a gate-crash into Hinduism. The society was virtually divided into two hostile factions like the Plebeians and the Particians of the Roman Empire. Unlike the *valankai-idankai* disputes of the early period all the non-caste Hindus united against a particular community and threatened it with total extinction. Sivakasi, a place situated seventy kilometres south-west of Madurai which is now regarded as mini-Japan of India became the scene of a religious crusade. Despite its immediate reverses the temple entry agitation which gathered momentum during the nineteenth century, afterwards converged with the similar movements led by the Indian National Congress and the Self Respect Movement.

The study is largely based on primary source material collected from the Tamilnadu Archives, Madras and the National Archives of India, New Delhi. The information gathered from the archival repositories is further corroborated with the data collected through field study in the districts of Madurai, Ramanathapuram, Tirunelveli and Kanyakumari.

With immense pleasure I dedicate this treatise to the inquisitive readers as a magnum opus of my six years of service

in the School of Historical Studies, Madurai-Kamaraj University, Madurai. I record my deep gratitude to Prof. K. Rajayyan who always remained a source of inspiration during my career in Madurai-Kamaraj University. I owe a great deal to my most beloved Prof. A. P. Ibrahim Kunju who supervised my doctoral thesis and also corrected the entire script of the present study. I am equally beholden to Prof. T.K. Ravindran, Head of the Department of History, University of Kerala, for his most affectionate encouragement and the invaluable guidance. I am grateful to my learned colleagues, research scholars and other friends for their unfailing enthusiasm and support which enabled me to complete this work. I am grateful to the University Grants Commission, New Delhi for having permitted me to undertake the present study as an individual research project with their financial assistance.

B. Sobhanan

INTRODUCTION

The temples have played a predominant role in the socio-religious life of the people[1]. The temple assemblies became the makers of rules and regulations to control the life of the people. They remained as the arbiters of social status in the locality. The temples were closely associated with the institution of the caste system. The ancient Tamils were not familiar with the Brahminical form of temples and ceremonies and also the traditional four-fold classification of society based on *caturvarna* system, expounded by the Aryans. On the other hand they were accustomed to the occupational division of society. It was a harmonious classification for the effective functioning of the society. No distinctlon was made on the basis of birth and everything was decided on merit, ability and personality. Untouchability, unapproachability, unseeability and similar customs were unknown to the ancient Tamils. Caste distinctions, disputes and religious dissensions were unheard of. The *Tirukkural* asserts:

1. 'Temple' means a place by whatever name known which is dedicated to or for the benefit of or used as of right by, the Hindu Community in general, as a place of public religious worship and includes subsidiary shrines and mantapams attached to such place. (Home Department, File 13/8/1947-Pol. (1), Legislation: The Madras Temple Entry Authorisation Bill, 1947, National Archives of India, New Delhi.)

To test the greatness of each one and each one's littleness,
The only touchstone is the way in which his deeds he does.[2]
The crows will not conceal their food but crowing, they would share,
With all their kind. Such men also have wealth and great welfare.[3]
The men of hill like, highbirth too, will shrink in their size true,
Debasing deeds as small as abrus grain should they e'er do.[4]
The human beings, one and all are equal in their birth,
Through difference in their deeds' nature springs difference in their worth.[5]

On the other hand geography had its decisive impact on the Tamil society. Based on the fertility of the soil and its geographical location the lands were divided into five fold natural divisions, viz., *Kurinchi* (hilly region), *Palai* (barren region), *Marutham* (cultivable land), *Mullai* (pastoral land) and *Neythal* (coastal area). The people who inhabited in these regions were known as hunters (Vettuvars), warriors (Maravars), peasants (Ulavars), cowherds (Aayars) and fishermen (Paradavars) respectively.

Within these settlements there were the corporate companionships or brotherhoods of elementary families comprising the members of the clans or gens [who regarded one another as relatives சுற்றம் of the common lineage and the kins within the elementry family who were known as o*kkal* ஒக்கல், *keelir* கேளிர் *urroor* உற்றோர் *or tamar* தமர் in the sense that they were affinal relatives].[6] Free social movement existed among the different

2. Thiruvachakamani, K. M. Balasubramanian, *Tirukkural of Tiruvalluvar*. Madras, 1962, Kural, 505.
3. *Ibid.*, 527.
4. *Ibid.*, 965.
5. *Ibid.*, 972.
6. S. Singaravelu, *Social Life of the Tamils*, Kuala Lumpur, 1966, p. 171.

groups. The early Dravidians were regarded as the direct ancestors of the Tamils, Telugus, Malayalees, Kannadigas and other tribes that occupied the greater part of South India[7]. The earliest Dravidians were not primitive tribes, but settled people who tilled the soil and raised crops of various kinds e.g. rice, sesamum, etc. They were agriculturists by nature.

The Aryans who were familiar with the conventional system of *Varnashrama dharma* in North India found an entirely different social set up during their migration to South India. Until their migration the people of Tamilagam appeared contented with their respective professions. They never thought of their superior or inferior status. P.T. Srinivasa Iyengar wrote: "The Brahmins did not succeed in arranging the people of Southern India as members of the four varnas as they did in Northern India. It only led to the confusion of caste and the prevalence of social jealousies that have characterised the life of South India for a thousand five hundred years".[9] The Aryans injected the distinctions based on upper and lower status into the body politic of the Tamil society. It might have naturally developed a doubt in the minds of all the professional groups which led to regular confrontations. The Brahmins who formed a microscopic minority emerged as the greatest arbiters and peace makers and extended their counsel to the reigning kings too. By virtue of their spiritual authority, they came to wield considerable influence in the society.[10]

The Brahmin writers on law propounded a model of the caste system which placed them at the top and gave them the privilege of

7. T.K. Krishna Menon, *The Dravidian Culture and its Diffusion*, Ernakulam, 1937, p. 11.
8. T.R. Sesha Iyengar, *The Ancient Dravidians*, Madras, 1925, p. 57.
9. P.T. Srinivasa Iyengar, *Pre-Aryan Tamil Culture*, Madras, 1914, p. 20. (But the historians like Risley, Oldenburg, Gilbert, Slater and Hutton believe that the caste system was popular among the early Tamils.)
10. K. Rajayyan, *Administration and Society in the Carnatic 1701-1801*, Tirupati, 1966, p. 127.

declaring the duties of other castes, including the Kings.[11] In order to buttress their spiritual superiority and temporal welfare, they gerrymandered customs and conventions, administrative and socio-economic systems and brought the entire society under the provisions of their Sastras. The essential principles of caste system traditionally observed in Hindu society are unchangeable inequality based on birth, the gradation and inequality of vocational professions and restrictions on marriage outside one's own group. In essence one's birth into a particular caste decided the nature and area of his activity. Whether this system is a theoritical division of society, a sociological fiction or a plantonic myth, it worked definitely to the advantage of the Aryan immigrants.[12] Further, the position afforded to the Brahmins by the Tamil kings and the increasing use of Sanskritic forms provided the base for the introduction of the hierarchial organization of caste in Tamil society. [13]

Following the large scale migration of the Aryans to the Tamil country, Tamil society was divided into Brahmins, non-Brahmins and untouchables. The Aryan theory that mankind is divided into four *varnas* or estates-Brahman, Kshatriya, Vaisya and Sudra was totally alien to the South.[14] There were no genuine Kshatriyas or Vaisyas in peninsular India and the use of these categories in this area referred only to local castes which had successfully claimed Vaisya or Kshatriya status.[15] The introduction of the inferior and superior status led to a competition among the different communities to receive the sacramental recognition of the Brahmins for their claims.

The non-Brahmins including the untouchables during the medieval period were broadly divided into *Valankai* or Right hand and *Idankai* or Left hand castes. The exact origin of these two groups has been examined by several scholars, but no definite

11. M.N. Srinivas, *Social Change in Modern India*, Berkeley, 1966, p. 5.
12. K.M. Panikkar, *Hindu Society at Cross Roads*, Bombay, 1955, pp. 10-11.
13. Robert L. Hardgrave Jr., *The Dravidian Movement*, Bombay, 1965, p. 10.
14. V.A. Smith, *The Oxford History of India*, London, 1958. p. 42.
15. M.N. Srinivas, op. cit., p. 2.

answer has been given to this interesting question. Some of the inscriptions state that each group consisted of ninety eight sub-sects. Though one gets the names of some sects in each group, the names of all the ninety eight sects are not known. But side by side with these, there is references to groups of eighteen professional castes. [16] As Prof. K.K. Pillay stated: "Herhaps a large measure of laxity existed in the Sangam age, but there is no doubt that the stiffening of the hereditary basis increased with the lapse of time." [17] The ninety eight sects under each of the two divisions were generally of the industrial and agricultural classes.[18] The Brahmins and a few other communities who claimed the highest predominance were kept aloof from this two groups. These superior castes acted as the creators of troubles between the right hand and left hand factions.[19]

The division of the society led to regular confrontatians among the different sects of the two groups. As Abbe Dubois has rightly pointly pointed out : "This division into right hand and left hand factions who ever invented, it has turned out to be the most direful disturber of the public peace. It has proved a perpetual source of riots and the cause of endless animosity among the natives".[20] Most of the skirmishes are centred around certain privileges like the right to wear slippers or to ride through the streets in a palanpuin, or on horseback during marriage festivals. Sometimes it is the privilege of being escorted on certain occasions by armed retainers, sometimes that of having a trumpet sounded in front of a procession or of being accompanied by a native musician at public ceremonies. Further it is simply in the use of a particular kind of musical instrument suitable for such occasions, the right of carrying flags of certain colours or certain

16. T.V. Mahalingam, *Administration and Social Life under Vijayanagar*, Part II, Madras, 1975, pp. 25-26.
17. K.K. Pillay, *Social History of the Tamils*, Madras, 1975, p. 236.
18. K.R. Hanumanthan, *Untouchability-A Historical Review*, Madurai, 1979, p. 175.
19. P. Chidambaram Pillai, *Right of Temple Entry*, Nagercoil, 1933, p. 247.
20. Abbe J. Dubois, *Hindu Manners, Customs and Ceremonies*, Oxford, 1897, pp. 16-17.

devices during these ceremonies.[21] For instance as per the *Mackenzie Manuscript*, the members of the *Valankai* group were permitted to use the white umbrella and white horse, both of which were symbols of honour. The *Idankai* group, on the other-hand, could use the white umbrella but never the white horse.[22]

Generally the temples and their custodians decided the rules and regulations for the movement of the people. They wielded vast influence in the State through the possession of wealth, ownership of vast estates, control of markets and credit, occupation of key positions, celebration ot festivals, promotion of art and letters and above all the authority to decide the social status. The right to enter certain parts of the temple, the right to participate in certain ceremonies and the order of precedence in certain rites and festivals were the important visible expressions of the accepted hierarchy of communities and individuals in society.[23] The people had infact accepted religion as the unwritten constitution for the ethical and civic norms of social life.

As in other parts of India, in Tamil Nadu too the temples consecrated to the Brahminical deities especially to Siva and its precincts were considered as *sanketam* grounds and reserved exclusively to the caste Hindus. Such temples remained far away from the glance of the non-caste Hindus. Though fhe non-caste Hindus were regarded as the members of the Hindu Society with common faith in the sacred books and worshipped the same Gods, they were not permitted into the temples. Physical cleanliness, intellectual attainments or economic status never helped the non-caste Hindus to enter the prohibited areas near the temple. In case of accidental pollution the idols should undergo fresh consecration and various ceremonies in order to make them pure once again for the offices of religion. The purificatory ceremonies

21. *Ibid*, p. 26.
22. T. V. Mahalingam (ed.) *Mackenzie Manuscripts*, Vol. I, Madras, 1972, p. 147.
23. Makim Marriott, *Caste Ranking and Community Structure in Five Regions of India and Pakistan*, Poona, 1966, p. 33.

are collectively known as *punyaham*. They were also not permitted to use or even to touch the tanks and wells controlled by the high caste people. In case of contamination it also required fresh consecration for purification.

Among the caste Hindus, the pujaris mostly the Brahmins were alone permitted to enter the inner shrine or the Garbha-griha of the temple. The *Valankai* castes in Tamilnadu, the people next to the Brahmins in social status were allowed to approach upto the steps in front of the Garbha-griha for devotional acts like reciting vedas, mantras and prostrating in front of the image. The Vaisyas were allowed to go as far up to the steps of *namaskara mantapas*, and the Sudras upto *pradakshina vazhi* outside the *nalampalam*, but not nearer. According to *Karikagama-Sastra*, the Vaisyas and the Sudras were allowed to worship God from the *bhadra mantapa* and the other castes at the entrance of the *gopuram* and Chandalas and Patitas outside the *gopuram* but should not enter into it.[24] *Karanagama Sastra* stated that menstruating women and Chandalas ought not to enter the *prakaras*, when the God is in procession, during the *utsava* or festival time, they ought not approach within 100 cubits from the idol of the God. In case of violation it would deprive the idol of the divine effulgence, cause the death, of the king, bring ruin to the village and finally allow no crops to grow.[25]

Further *Smritis* like Dharmasastras of Manu and Yajnavalkya condemned the use of liquor as one of the five great crimes or *panchamahapatakas*.[26] Irrespective of the social and economic status the people connected with such professions were labelled as untouchable communities and subjected to severe social

24. Karikagama Sastras cited by U. P. Krishnamacharya, *The Temple Entry Problem*, Trichinopoly 1937, p. 25.
25. *Ibid.*, Karanagama Sastras.
26. Manu XI, 55. Slaying a Brahmin, drinking intoxicating liquor, theft, committing adultery with the wife of a Guru (are) they say, the great crimes and association with those (who commit these crimes) is also a great crime. (Edward W. Hopkins, *Hindu Polity, The Ordinance of Manu*, Ludhiana, 1972, pp. 331-332)

disabilities. They were prohibited from touching or coming near the upper caste people due to *tiindal* or distance pollution and were not permitted to use freely the public roads and wells.

In Sangam literature we find references to the use of toddy. It was not tabooed during that period. Further it became an important accompaniment to all the important functions. "The pleasures of drink were unrivalled". Lovers of toddy made "pilgrimage to the drink house". Kumatturkkannanar exhorts everybody to drink toddy. Eating of mutton was accompanied by drinking of toddy. In the bazaars toddy was sold in separate places and their location was announced by waving flags. Toddy and other intoxicants were prepared in private houses too.[27]

But during the post-Sangam period the people who were connected with the preparation of toddy were strictly prohibited from entering the compounds of temples consecrated to Brahminical deities. They brought their little offerings of fruit, flowers and confectionary which they made over to a temple priest and waited outside the shrine till he came out again and after returning the baskets or trays in which they brought the offerings, dismissed them with his blessings.[28] It should be pointed out in this connection that Hindu worship was not congregational and the worshippers, even if they belonged to higher castes and were able to enter the temples did not make offerings personally. A Hindu temple was not intended for a congregation but was a shrine for the idol and for the performance of ceremonies by priests, and offerings were made, not by the votaries themselves but by priests acting on their behalf.[29]

The administration controlled by the caste Hindus, preserved the Sastric rules and age-old customs in their pristine

27. Purananuru, 329:1
28. Interview with Kailasa Bhattar, the officiating priest in the Meenakshi Sundareswara temple at Kamudhi, 15 January 1982.
29. L.S.S.O' Malley, *Indian Caste Customs*, Cambridge, 1932, pp. 143-144.

purity. They openly expressed their fear that laxity in that matter would break the social structure and there would follow untoward consequences. As a result they acted as the trustees of the pride and honour of the caste Hindus. Accordingly, they identified the privileges of superior caste Hindus with the laws of the land and refused to effect any innovation in the existing order that pressed hard upon the self-respect and honour of the inferior caste. The privileges of the caste Hindus became the disabilities of the non-caste Hindus and the Government wanted to perpetuate that system. No wonder the rulers denied to the lower castes the right to walk along the roads around the temple and worship in the temple. In spite of their massive strength, the non-caste Hindus accepted the spiritual and temporal predominance of the caste Hindus and gave implicit obedience to all their arbitrary laws. They were afraid of questioning the long established systems.

In Tamil Nadu during the medieval period, the Bhakti saints preached the fundamental equality of all religions and the unity of God. They held that the dignity of man depended on his actions and not on his birth. They protested against excessive ritualism and formalities of religion and the domination of the priests, and emphasised simple devotion and faith as the means of salvation for one and all. Ramanuja, one of the most important Bhakti saints who held the view that as the Sudras and out castes could not read the Upanishads and the Vedas they should have the privilege of visiting the temple one day in the year.[30] Their reforms failed to produce any lasting changes in the hierarchical order of the Tamil Society.

The Christian missionaries and their educational institutions tried to expose the mythological concepts that governed the caste restrictions. The spread of English education and the formation of caste associations inspired the non-caste Hindus to bargain for their legitimate status within the fold of Hinduism.

30. K. A. Nilakanta Sastri, *Development of Religion in South India*, Madras, 1963, pp. 89-90.

Some the non-caste Hindu communities like the Komatis, the Vanniyars, the Nattukkottai Chettiars and the Nadars amassed wealth through business and industry. Their sound financial position enabled them to rise equal to the high caste people. Among them the Komatis were accorded the status of Vaisyas in recognition of their being traders, yet they could not follow the Vedic form of ceremonies which remained the exclusive right of the Brahmins. They began to wear the sacred thread and to utter the Gayatri and other sacred mantras.[31] Among the different social disabilities the one connected with the worship in the temples was taken up as a challenge. They tried to secure the freedom of worship in all the Hindu temples and also a due share in the administration of the temples. This movement gathered momentum in the last decades of the 19th century. When the caste Hindus stoutly opposed such innovations the Komatis built separate (Kanyaka Parameswari) temples for their caste people and asserted their right to perform temple ceremonies. It led to a number of clashes between the local Vaidiki Brahmins and Komatis. A.L. Narasimhan who took the leadership of the Komatis persuaded his followers to avoid confrontations but to fight through the legal courts.[32] When the courts failed to grant equal status to Komatis with the caste Hindus they constructed separate temples. The Nadars, on the other hand endeavoured to assert a status that was due to them within the Hindu society.

31. Edgar Thurston, *Caste and Tribes of Southern India*, Vol. III, Madras, 1909, pp. 311-338.
32. C.J. Baker and D.A. Washbrook, *South India-Political Institutions and Political Change-1880-1940*, New Delhi, 1975, p. 153.

1

PIONEERS OF THE MOVEMENT

The Nadars claimed a legendary origin and cited a variety of mythological traditions in support. They asserted themselves to be the descendants and representatives of the ancient ruling race of Pandya and Chola kings.[1] According to tradition, the Nadars, were denied entrance into the Meenakshi temple at Madurai following their final defeat at the hands of the Nayaks and also subject to several social disabilities. They believed that usually the Pandyan kings entered the temple through the western gate accompanied by the Nadars and following the defeat, the Nayaks closed the western gate. The nearby temples also began to prohibit the entrance of the Nadars and gradually it became a custom.[2] They traced their descend from the different gods and goddesses like Brahma, Siva, Subramania and Bhadrakali. It is rather the imitation of similar theories which were widely popular and also recognised by the Hindu Vedas and Sastras. For instance, the system of c*aturvarna* found in the *Purusasukuta* of Rig Veda that the Brahmins were created from the tongue, Kshatriyas from the hand, Vaisyas from the thigh and Sudras from the feet of the Brahma.[3]

1. Law General Department, G.O. No. 785, 7 July 1921.
2. John Chandler, *Seventy Five Years in Madurai Mission*, Madras, 1909, p. 24.
3. Rig Veda, X, 90: 13-14, A. C. Macdonell, *A Vedic Reader*, Oxford, 1917, pp. 195-201.

Nevertheless the Nadars considered themselves as one of the ruling communities of South India with a rich heritage. A festival celebrated at Mayyanadu, situated near Quilon in Kerala bears testimony to the claim of the Nadars. Mateer wrote: "At the temple of the Five Gods in Mayyanadu (probably the five Pandu brothers) a festival is conducted in April for five days by the headman of the five sub-divisions or illams, during which the five nieces or heiresses of these headmen were required to carry lamps and walk around the idols outside the temples, while other women can only perambulate on the outside."[4] There were four sub-divisions in the Mayyanadu illam (family) viz., Senior Shanan, Junior Shanan, Ayanthi Shanan and Kanankara Shanan. They say that the title of Shanan was from their former rulers by paying a fee to them.[5] During the early days the Nadars were known as Shanans. The title Shanan is interpreted as a corrupt form of the term 'Chantror'[6] which means the learned or the noblemen. The Tarisapalli Copper Plate Inscription given by Aiyan Atikal contains the term of 'Chantror'. Among the Ezhavas of Travancore living south of Ampalappuzha the term Channar was used as the honorific title given to the heads of the Ezhavas. The Channan among the Chavannar Ilavars conducted the marriage ceremonies and presided over important functions for which he received presents of tobacco, rice, etc. He was the headman of the village and the office was hereditary from uncle to the nephews.[7] The two inscriptions at Kalladaikurichi also suggest that the Nadars served as administrators and accountants both in the Chera and the Chola kingdoms.[8] These evidences shed light into the pre-eminent position of the Nadars during the early period.

Further they were scattered and their descendants can be seen in different parts of South India. Buchanan recorded: "The

4. Samuel Mateer, *Native Life in Travancore*, London, 1883, pp. 84-85.
5. *Ibid.*, p. 85.
6. Law Department, G.O. No. 56, 8 April 1921.
7. Samuel Mateer, *op. cit.*, p. 84.
8. Kalladaikurichi Inscriptions, No. 325/1916, 7 February 1380 and 24 March 1416.

Shanars who in the dialect of Malayala are properly called Tiar, are in Malabar a very numerous tribe and a stout, handsome, industrious race."[9] In North Malabar they were known as Tiyyars and in Cochin and Travancore as Chovans or Ezhavas. They are believed to be closely allied to the Tamil speaking Shanars of the Tinnevelly district and to the Billavars of South Canara.[10]

The Nadars occupied a high place among the right hand classes. They were known as *valankai-uyarvu kondar* or *valankai-uya kondar*. T.K. Velu Pillai stated : "The fact of their having been an important community in the past is borne out not only by such expressions as Nadar and Nadalvar found in some stone inscriptions in Travancore, but also by numerous customs which are peculiar to them."[11] In the Census Report of 1871, it is recorded that the Nadars claimed descend from a great warrior caste and belonged to the Aryan Kshatriyas.[12] The Administration Report of Police in 1889 stated that the Nadars belonged to the left hand castes, but are good traders and a wealthy pushing class. They claimed descend from the Rajputs and had a right to wear the *punnul* (sacred thread) and was reckoned higher in the caste gradation scale than was generally admitted.[13]

The Muslims and Telugu conquest administered a serious blow to the glory of the Nadars. When the resistance became futile they evacuated Madurai and moved to places like Chinnamanur, Manad, Vannikulam, Palayampatti and Tenkasi. Many of them were massacred or sold away as slaves. About 800 Nadars of Kayalpattinam and 100 Nadars of Kizhakarai who were handed over to the Muslims to be taken by their boats and thrown into the mid sea, embraced Islam and thereby escaped death. Over-

9. Francis Buchanan, *A Journey from Madras through Mysore, Canara and Malabar*, London, 1807, p. 415.
10. L.K, Anantha Krishna Aiyer, *The Cochin Tribes and Castes*, Vol. I, Madras 1909, p. 277.
11. T.K. Velu Pillai, *Travancore State Manual*, Vol. I, Trivandrum, 1940, p. 856.
12. *Census Report of Madras Presidency*. 1871, Madras, 1874, pp. 117-119.
13. Judicial Department, Conf. 17, 12 December 1899.

taken by panic, the survivors escaped to remote areas and settled in the inhospitable lands where they tapped toddy from the palm trees and made a precarious living. Many of the families escaped to Arcot, Salem, Coimbatore and Mysore and for fear of identification assumed the titles of Gramini, Chetti, Pillai and the like.[14] The condition of the Nadars continued without any apparent change during the days of the Nayaks, the Mughals and the Marathas.

On the eve of the European colonisation the condition of the Nadars appeared miserable. During this period they were counted little above the untouchable communities like the Pallas and Parayas. Considered as untouchables, unapproachables and even unlookables, they were subjected to severe social disabilities. The Nadars were considered inferior to Sudras and superior to Parayas.[15] Caldwell stated that the Nadars as belonging to the highest division of the lowest classes or the lowest of the middle classes; poor, but not paupers, rude and unlettered, by many degrees removed from a savage state. Further, "they are not allowed as all Sudras are, to enter the temples; and where old native usages still prevail they are not allowed even to enter the court of justice, but are obliged to offer their prayers to the gods and their complaints to the Magistrates outside, and their women like those of the castes still lower, are obliged to go uncovered from the waist upwards. These circumstances connect them with the group of castes inferior to the Sudras, but if they must be classed with that group, they are undoubtedly to be regarded as forming the highest division of it".[16]

Commenting on the character of the Nadars, George Pettitt wrote that they are industrious, simple minded people, rude, unskilful and somewhat coarse in person and habits, yet

14. K. Rajayyan, *History of Tamilnadu, 1565-1982*, Madurai, 1982, pp. 277-279.
15. Raja Rama Rao, *Ramnad Manual*, Madras, 1889, p. 36.
16. R. Caldwell, *Lectures on the Tinnevelly Mission*, London, 1857, pp. 44-45.

they are neither destitute of shrewdness nor insensible to kindness. They seem to have been the sponge squeezed out on all occasions of emergency by the native chiefs of former times; and long oppression has rendered them suspicious and covetous.[17] He further stated, "the establishment of British rule in India was a real boon to this people, the value of which, however they but imperfectly understood till christian knowledge, and education opened their eyes and raised their character, and still, in cases of oppression arising among our earliest converts, it was demonstrated even the Shanan with the advice of his christian teacher could obtain justice and enjoy protection."[18] Their gradual financial stability and the educational progress empowered the Nadars to claim for an equal status with the high caste people in the caste-dominated Hindu society.

As a first step they tried to produce documents in support of their claim for a superior status within the traditional realm of Hinduism. "As the lower castes, in these days frequently send out into the world, men who accumulate wealth", wrote W.R. Cornish in the Census Report of Madras Presidency in 1871, "...surplus funds of such men are often employed in the feeding of pundits to prove the ancient glories of their particular caste." The uneasiness of the lower castes in regard to the social position assigned to them by Brahminical authority," he contented, "is simply an indication that under British rule they have increased in wealth and intelligence, and naturally desire to prove that the yoke imposed upon them by the caste system was tyrannical and unjust."[19] Without making any adverse comment about the caste system they only tried to secure their equal share in the social structure. The very concept of caste system itself was a myth which got wide popularity and recognition throughout

17. George Pettitt, *Tinnevelly Mission of the Church Missionary Society*, London, 1851, p. 481.
18. *Ibid.*, p. 482.
19. *Census Report of the Madras Presidency, 1871*, pp. 118-119.

India. So the Nadars also interpreted their traditions in such a manner to establish their superior claim.

Towards the last decades of the nineteenth century, they began to trace their origin from solar and lunar races. They considered themselves as *valamkai uyarkonda iravikula kshatriyas* (Kshatriyas of the solar race belong to the Right hand faction). On 19 June 1899, a correspondent wrote to the *Madras Mail* that the Brahmins who came to the South styled the Tamil rulers as *Sanrors*, raised them to the position of Kshatriyas and prepared a fictitious genealogy to gratify the vanity of the rulers. He further stated that they were Dravidian rulers of the South of the Peninsula and Ceylon seems very probable.[20] On 24 June 1899 another letter appeared, stating that with the fall of the Pandyans before the Nayaks, the Nadars "were oppressed and bitterly persecuted ... to prevent their rising again to assert their lost power". After three centuries of oppression the Nadars "like the Israelites under Pharoah, found a Moses in the person of the Englishman who destroyed the power of the Poligar..."[21]

The Nadars made counter charges that during the last three hundred years in order to stifle their antiquity and vitiate the tribal honour, the opponents had greatly distorted the Tamil literature in various ways, by fabricating numerous records and by mutilating and misinterpreting all old *sasanas* and *cadjan* books. P.V. Pandian submitted a memorial to Thurston along with 265 petitions bearing 29,100 signatures of the Nadars to secure their legitimate place in the caste hierarchy.[22] Further he criticised the work of Edgar Thurston on the *Castes and Tribes of South India* in seven volumes as a prejudicial account furnished by a Brahmin who was influenced by the anti-Nadars.[23] Hardgrave regarded the new mythology of the caste histories as the auth-

20. The Shanars; Who are they?, *Madras Mail*, 9 June 1899.
21. *Ibid.*, 24 June 1899.
22. P. V. Pandian, *A Memorial on behalf of the Nadar Community to J.C. Molony Esq. I.C.S., Superintendent of Census Operations*, Madras, 1911, Trichinopoly, 1910, pp. 3-5.
23. *Ibid.*, pp. 7-8.

ority; sanskritized custom as the proof; and wealth and education as the catalysts to the higher status of the Nadars.[24]

The Nadars became socially awakened long before the spread of the socio-religious reform movements which fought for the removal of their social disabilities imposed by the caste Hindus. Arnold Toynbee's concept of Challenge and Response can be applied to review their social change in its proper perspective. The Nadars were subjected to severe penalization especially following the dynastic changes and finally reduced to the status of mere untouchables. The continued trials and tribulations only made them fight for their just rights and privileges.

In fhe early decades of the nineteenth century the Nadars of the Kanyakumari district, a part of the erstwhile Travancore state, influenced by the Christian missionaries began to cover the bosoms of their ladies which was prevented by the caste Hindus. It led to a number of confrontations between the Nadars and the caste Hindus. In 1822 and 1827 the movement turned violent. The caste Hindus fabricated false cases and utilised the entire administrative machinary to suppress them. In 1858 both the Christian and Hindu Nadars joined together and agitated for their rights. On 28 July 1859, the Travancore Government was forced to issue a proclamation permitting the Nadar women to cover upper parts of their body.[25]

Coupled with the influence of the European missionaries, Muthukutti Swamikal, popularly known as Sri Vaikunda Swamikal, (1809 - 1851) who hailed from a Nadar family in Kanyakumari district gave the clarion call to the non-caste Hindus to liberate themselves from the clutches of the caste Hindus.[26] He severely condemned the worn out customs and caste rules of the time.

24. Robert L. Hardgrave, *The Nadars of Tamilnad*, Bombay, 1969 p. 60.
25. R. N. Yesudas, *A People's Revolt in Travancore*, Trivandrum, 1976, pp. 140-150.
26. P. Sarveswaran, 'Vaikunda Swamikal and Social Reform Movement,' *Journal of Kerala Studies*, Vol. VII, Trivandrum, 1980, pp. 1-11.

His teachings created an awakening among the oppressed people. He appealed to his followers not only to cover their bosoms but also to wear a turban on their heads as a mark of their royalty.[27]

In other districts of Tamil Nadu they began to adopt the Brahmanical practices like vegetarianism, teetotalism and prohibition of widow remarriage. Also they began to tie their dhoties in the manner of the Brahmins, to wear the tuft and *punnul* or sacred thread of the *dwija* or twice born. Kshatriya academies were started to educate their children. In 1895 the Sanskrit Padasala of Virudhunagar was founded. They modified the marriage rules and began to pay a dowry rather than a bride price, to practice vedic ceremonies and rituals and to adopt the service of the Brahmin priests. Horses and palanquins were used on ceremonial occasions. In addition they began to construct tiled and multi-storeyed terraced buildings for their dwelling.[28]

However, the caste Hindus refused to make any change in the existing system. The Nadars on the other hand followed an equally resolute policy and decided to fight against the social taboo. This resulted in a number of clashes in the different parts of Tamil Nadu. The Nadars of Aruppukkottai, a town in the Ramnad zamindari, appealed to the British Government for getting permission to take processions in palanquins during marriage and festivel occasions against the established practice. Accordingly the District Magistrate of Madurai granted the request of the Nadars. But it wounded the feelings of the caste Hindus. They immediately resorted to an open out rage with the support of people of other castes like the Maravars, Labbys, Pallas, Parayas, Weavers and Barbers of the town and neighbouring villages which numbered nearly ten thousand persons.[29] In the words of V. H. Levinge, the Magistrate of Madurai: "the cause of the

27. R. Ponnu, *Vaikunda Swamigal Valvum Vaszhikattalum*, New Delhi, 1983, pp. 88-98.
28. Judicial Department, Confidential No. 176, 12 December, 1899.
29. *Ibid.*, G. O. No. 1232, 1860.

outrage is owing to the answer given by Government to the petitioners who complained of Mr. Clarke having permitted the Shanars to go in procession and by having reported that the procession went off without disturbance the vakils of the petitioners wrote down here, I am credibly informed, that the petitioners would get no good in Madras, and their only chance was to prove that my report was false and to make such a disturbance as would terrify the Government, and cause the issuing of an order forbidding Shanars to go in a palankin."[30]

On 7th September 1860 some of the Nadars came to Madurai and represented to the District Magistrate that they anticipated some disturbance during a marriage procession. He issued a warrant for the apprehension of leaders who were suspected of creating disturbances and sent orders to the Zamindar for giving assistance. Further, he directed the police Amin to proceed to Aruppukkottai and prevent the outbreak of disturbances. But the officers who hailed from higher castes ignored the order of the Magistrate. He stated that there could be no doubt that this outrage occured with the connivance and assistance of the police authorities. Some days before 10th September, a crowd destroyed the gardens and wells of the Nadars, surrounding the town, yet the police Amin took no notice of this and made no inquiries, nor did he report the circumstance to the Magistrate. The outbreak of the 10th was also known to the Amin quite in advance but he kept mum and went to the town only after 12th September.[31]

In the afternoon of 10th September, two of the constables from Kamudi who went to Aruppukkottai reported that they saw the village Munsiff and Mettu Peon were sitting in the Tanna, looking at the crowds of men and women running away to their houses with the plunder on their heads. At the commencement of the plundering the Muhammadans hoisted a flag, which they called the Nawab's flag. The plundering commenced at a signal made by beating a drum, and it ceased on the same signal being made. Property of the value of at least 30,000 rupees was taken

30. *Ibid.*, G.O. No. 1232, Letter No. 251, 1860.

31. *Ibid.*, Letter No. 252.

off, and the number of shops plundered was 110, but no person was beaten or hurt. The Nadars, being overpowered, prudently offered no resistance.[32]

The Magistrate reported after a detailed inquiry that there is ample evidence to the fact that this daring robbery was not been by mere caste prejudices, but had originated in a long smothered and still growing animosity against the Nadars and was carried out in an open defiant spirit which, coupled with the reported tenor of their correspondence at Madras, plainly lead them to withdraw the protection hitherto afforded to the Nadars.[33] The head and wealthy men carefully avoided taking any conspicuous part in the plunder, but to make their vengeance more certain they let loose in the town all the reactionary forces from the neighbourhood. In conclusion he asserted that it was a deliberate and deeply laid scheme to annihilate all the Nadar's hopes of freedom.[34]

The same tense situation prevailed, throughout the districts of Ramanathapuram, Tirunelveli and Madurai. In 1888 Mr. Stevenson, the Superintendent remarked : "In Tinnevelly we are in a state of unstable equilibrium. Everywhere the lower castes are asserting themselves, while still denying the caste below them the right which they themselves newly claim. The Shanars waxing in wrath are everywhere trying to get privileges such as palanquin processions and wearing *punnuls* like the Kshatriyas and the Maravars and Vellalas are equally determined that the Shanars shall not get them. The Vellalas as in Ambasamudram who assert their right to take a procession through a Brahman street, will violently resent and oppose by force any attempt by Shanars and Parayas to take procession down to the Vellala streets".[35]

32. *Ibid.*, G.O. No. 1283 year 1860.
33. *Ibid.*, G.O. No. 1232, Letter No. 166.
34. *Ibid.*, Letter No. 167.
35. Disturbances in Madura and Tinnevelly, p. 6.

Bedford stated "the anti-Shanar riots were, as is generally known religious and not predatory in their origin. They constituted a protest on the part of Hinduism against the pushing and aggressive claims of the Shanars to be ranked as caste Hindus, and the Maravars, as the boldest and most reckless of the Hindus were chosen to fight the cause of Hinduism".[36] The British officers made it clear that the hatred which existed would continue for many years to come unless the Nadars would give up all hopes of obtaining the rights and privileges which they had been fighting for generations. Further they felt that the Nadars had quietly and most persistently accumulated wealth and enjoyed the sweets of riches which earned the jealousy and displeasure of other communities.[37]

The determination of the Nadars to attain their legitimate status in the realm of Hindu society radiated the animosity of the caste Hindus. It was not a mere attempt to secure the symbols of status within the Hindu society. It marked the culmination of the struggle against untouchability, unapproachability, social discrimination and social segregation and further represented the fight for socio-religious equality and civil liberties. The society was virtually divided into two hostile factions like the Plebeians and the Patricians of the Roman Empire. All fhe non-Nadar communities joined together forgetting their superior and inferior distinctions and levelled severe opposition against the Nadars. Both the parties got ready for a violent and fierceful mass-upsurge.

36. Judicial Department. G. O. 1578-1579, 30 October 1900.
37. *Ibid* G.O. 704, 18 May 1900.

2

LEGAL STRUGGLE FOR TEMPLE ENTRY

After asserting their right to use upper cloth, turban on the head, tuft, sacred thread, tying of the dhoti, ash mark, vegetarianism, tee-totalism and the procession in the palanquins, as the caste Hindus did, the Nadars decided to worship in the Siva temples, so long excluded to them.[1] They considered it as the fulfilment of their social emancipation. But this move aggravated the situation. The Nadars made a determined effort for a gate crash into Hinduism. The non-Nadars including the Brahmins, Vellalas, Maravars, Kallars and the Pallas joined together and organised resistance to the calculated move of the Nadars. On 30th June, 1899 M. Hammick, the Special Commissioner for Madurai and Tinnevelly wrote from Sattur : "between these two parties there has been for years growing enmity and it is hardly an exaggeration to say that there is not a village in Tinnevelly where the Shanars are not in bad terms with their neighbours of other castes". He further pointed out that the quarrel which had produced those disturbances was

1. 'Excluded class' means any caste or class of the Hindu community which by reason of any established custom or usage is excluded from entering the temple concerned or offering worship there in. [Home Department, File 13/8/1947, Political 1, Legislation: The Madras Temple Entry Authorization Bill, 1947.]

not a quarrel over a definite point of ritual or concerned with any special temple. If it was so, it would probably be easy to settle it. It is a quarrel which had risen solely from the known determination of the Nadars as a caste to improve their socio - religious condition.[2]

It led to a series of clashes in the districts of Kanyakumari, Madurai, Ramanathapuram and Tirunelveli. In some of the places it resulted in open confrontation which led to many criminal and civil suits. In Kanyakumari the Nadars who rendered free service to the Brahmins and paid heavy taxes for the support of the temples were prohibited from entering the temples. In the famous Kumaracoil temple near Nagercoil it was the usual custom during festivals that the caste Hindu devotees played in the fire pit, assuming extraordinary powers. Vellayan, a member of the Nadar community decided to challenge this caste pretension. After some prayers and pujas he jumped into a large fire pit and danced in the flames for half an hour. Coming out of the pit, accompanied by 12,000 Nadar devotees, he entered the temple. The caste Hindus especially the Nairs and the Brahmins resisted their entry and it led to an open fight in which more than one hundred and fifty persons died.[3]

In 1874 some of the Nadars tried by means of a criminal charge to establish their right to enter the Meenakshi temple in Madurai.[4] One Mukka Nadan entered the temple and went up to the parrots altar and worshipped Goddess Meenakshi. There he was struck down by the temple servants. Later a case was filed but the judge acquitted the accused and made no observation about the right of the Nadars to enter the temples. In 1878 the Nadars of Tiruthangal in the Srivilliputtur taluk tried to enter the Siva temple in that village. The District Munsiff of Srivilliputtur prohibited them from entering the temple there and also offering coconuts.[5] In

2. Judicial Department, G. O. 1077, 7 July 1899.
3. K. Kochukrishnan Nadar, *Nadar Charitram*, Nellikkakuzhi, 1956, pp. 196-200.
4. Disturbances in Madura and Tinnevelly, p. 6.
5. H.R. Pate, *Madras District Gazetteers*, Tinnevelly, Vol. I, Madras, 1917, p. 126.

1885 some Nadars of Gollapathi village in the Sattur taluk of Tirunelveli petitioned that they might be permitted to carry their procession through the street against the wish of the local zamindar and the people in the village of other castes than their own. It was then ruled that this procession was to go only through the Nadar quarters of the village.[6] Again in 1890 the Nadars in Madurai and Tiruchuli tried to enter the temple and were fined by the district court.[7]

In the Meenakshi Sundareswara temple at Kamudi, a village situated in the district of Ramnad, the Nadars made another attempt to establish their right to enter and worship. The administration of Meenakshi Sundareswara temple of Kamudi was looked after by Bhaskara Setupathi, the Raja of Ramnad. In November 1885 the Nadars of Kamudi petitioned before the Raja for permission to conduct a ritual feast in the temple. M.R.Ry.Sivaramiah, the Devastanam Superintendent permitted them to send their offering through some persons of the higher caste.[8] They refused to make the worship by proxy and asserted their right to temple entry. On 14th May 1897 night they forcibly entered the temple with torches and drums and went up to the sanctum sanctorum. They relighted the extinguished torches near the sacred image and offered coconuts in front of the idols.[9] A criminal case was filed against fifteen Nadars for defiling the temple but they were acquitted by the Sub-Magistrate of Muthukulattur on the ground that the custom of the exclusion of Nadars from that temple was not proved and that it was not clear that the Nadars while entering the temple had gone near the idol.[10] The result of the dispute was a civil suit filed by the Zamindar of Ramnad against the Nadars with a view to obtaining a decree to ban Nadars from entering that temple.[11]

6. Judicial Consultation, G.O. 2017-2018.
7. Disturbances in Madura and Tinnevelly p. 6.
8. Judicial Consultations, Conf. No. 176 Year 1899.
9. Record of Proceedings in the Subordinate Court of Madurai (East), 6 February 1899.
10. Judicial Consultations, Conf. No. 176.
11. *Ibid.*, G. O. 2017-2018

Both the parties tried their best to establish their theories in the district civil court at Madurai. The Raja of Ramnad sought a permanent injunction prohibiting the Nadars from entering the Siva temples and demanded an amount of rupees two thousand and five hundred for the ritual purification of the temple.[12] The Nadars on the other hand claimed their right to temple entry from time immemorial, as recognised both by the sastras and customs. In support of their claim many people from Tanjore, Coimbatore. Chidambaram, Trichinopoly and South Arcot submitted documents giving evidence that there was no restriction upon them in the worship of the Siva temples.[13]

However on 20th July 1899, the Sub Judge Madurai East issued a perpetual injunction restraining the Nadars from entering the Kamudi temple.[14] The court contended that the Nadars had gone beyond their hereditary calling and many were engaged in agriculture, trade and money lending and in these walks of life they had accumulated wealth and acquired influence. They were recognised for their piety and charity as evidenced in the construction of rest houses, gardens, wells and schools in which pupils of all communities were taught. In the larger towns Nadar houses became mixed up with the houses of caste Hindus, yet the non-Brahminical classes kept aloof from mixing with them. Despite their advanced wealth, sanskritized manner and good works, the social status of the Nadars was still held in low estimation.[15]

After their failure in the district court at Madurai, the Nadars appealed to the High Court at Madras. In 1901 before the commencement of hearing the appeal, the Nadars under the leadership of Retnaswami Nadar, a leading abkari contractor of Tanjore tried to reach a compromise with the Raja of Ramnad. The app-

12. Record of Proceeding in the Subordinate Court of Madurai (East), 6 February 1899.
13. Judicial Department, G,O. 756. C.No. 1820.
14. Judicial Consultations, Conf. No. 79. 21 May 1901.
15. *The Law Reports,* Vol. XXXV, London, 1908, pp. 177-185.

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ellants were represented by Messrs Krishnaswamy Iyer, Sundara Iyer and Satya Nadar. U. Bashyam, the advocate of the Raja, learnt that the Raja did enter into a written compromise with the Nadars. Accordingly a petition of compromise signed by the Raja and by Satya Nadar was presented to the High Court on Thursday the 2nd instant of May. It appears that an emissary of the Raja was for scmetime carrying on negotiations with the Nadars and raised subscriptions from them during the absence of the Raja in Ceylon, and that about Rs. 7,000/- were collected for the purpose of being paid to the Raja for admitting the Nadars to enter and worship at the Kamudi temple. The Raja's agent accompanied by certain Nadars, it seemed, went to Ceylon and on payment of Rs. 5,000 in cash, obtained the signature of the Raja to the compromise.[16] They further agreed to pay twenty or thirty thousand rupees after the successful implementation of the compromise.[17]

The British officers in Madurai and Tirunelveli were rather puzzled when they received the news of this compromise. The District Magistrate of Madurai warned the Raja of the dangers of such a course of action, because of the possibility of renewed disturbances.[18] On 25th again he wrote another letter to the Raja of Ramnad in his address in Ceylon cautioning him of the dangers of a compromise. He was afraid that the Maravas would again rise against the Nadars. The District Magistrate of Tinnevelly felt that if the Nadars succeeded in the High Court they would then assuredly attempt to exercise their rights at Kamudi, they would probably contend also that they were entitled to enter all Siva temples in Tirunelveli and Madurai and might make attempts to do so.[19] He expected serious confrontations between the Nadars and non-Nadars in such attempts. He further stated that if the Nadars failed there was little probability of trouble. They would either set up Siva temples for themselves, as they had done at Virudunagar

16. Judicial Consultations G. O. 756.
17. *Ibid.*, p. 47.
18. *Ibid.*, Conf. No. 79.
19. *Ibid.*, p. 15.

and as the Nattukottai Chettiars did in many places or adopt Christianity.[20] But the Inspector General of Police, Madras, after personal inquiry reported that the Maravas would not rise again as they received little support from other castes in 1899.[21]

The Raja became alarmed by the warnings of the English officers and issued a notice to the Nadars retracting from and cancelling the compromise and also wired to Madras to take steps to prevent a decree from being passed in accordance with the compromise. Soon Advocate Sankaran Nair gave notice to Satya Nadar withdrawing the compromise.[22] After the mid-summer vacation the case came for hearing. The High Court accepted the verdict of the Sub Judge of Madurai and ruling went against the Nadars. Then the Nadars collected a fund of rupees 42,000 and appealed to the Privy Council in London. They expected justice and equality from the European Officials, which they found unable to gain from the religious instituions of the traditional society. They felt that "our people will get justice only if philanthropic European authorities take notice of the matter". But their expectations were shattered from the lowest court to the Privy Council, the highest court of appeal.

In the year 1908 the Privy Council also affirmed the decisions of the lower courts and stated that "there is no sort of proof that even suggests a probability that the Shanans are descendants from Kshatriyar or warrior caste of Hindus, or from the Pandiya, Chola or Chera race of kings. There are no grounds what ever for regarding them as of Aryan origin. Their position in general social estimation appeared to be just above that of the Pallars and Pariahs, who are on all hands regarded as unclean and prohibited from the use of the Hindu temples, and below that of the Vellalas, Maravars and other cultivating castes usually classed as Sudras and admittedly free to worship in the Hindu temples".[23]

20. *Ibid.*, p. 17.
21. *Ibid.*, G. O. No. 756
22. *Ibid.*, Conf. No. 79
23. Privy Council Decision. Quoted by Robert L. Hardgrave, Jr. *The Nadars of Tamilnad*, p. 125.

Commenting on the Kamudi temple entry dispute, P. Chidambaram Pillai considered it is a mere legacy left out of the old right and left hand factions.[24] In another instance he stated that in effect what is administered as 'Hindu Law' to the various tribes and castes constituting the population of the Madras Province, most if not all of whom are not 'Hindu' is an aggregate of discrepant and inconsistent guesses, made by unsympathetic persons wholly ignorant of Sanskrit, at the meaning of generally imperfect and sometimes questionable translations of mutilated Sanskrit texts, themselves of doubtful authenticity, taken at random from purely speculative and religious treatises on what ought to be the rules of conduct for an ideal Aryan community.[25]

In 1895 the claims of the Nadars to a share in the management of the Viswanathaswami temple at Sivakasi brought forward for the first time on the occasion of Sankaramurthi Mudaliyar's resignation of his trusteeship. Sankaralinga Nadar and Shunmuga Nadar applied for the post. The application was rejected and both of them died shortly after that instance.[26] A petition was then presented to the Siva temple committee by certain non-Nadars, protesting against compliance with their pretensions, in which it is stated that such compliance, "would be the occasion of causing a most tremendous occurrence" and that the "Kalugumalai occurrence will be repeated".[27] It was signed by twenty nine Vellalas, three temple servants, five Naiks, one Achari, one Chetti, and one Brahmin, the Brahmin, evidently as such, signing first. Later in the year, the matter led to the apprehension of disturbance but was amicably settled by the exertion of the Deputy Magistrate, Taluq-Magistrate and Police Inspector. The report of the Inspector to the District Superintendent of Police, together with the evidence of the former officer recorded that in

24. P. Chidambaram Pillai, *Right of Temple Entry*, Nagercoil, 1933, pp. 246-24.
25. P. Chidambaram Pillai, *Dravidian and Aryan*, Nagercoil, 1936, p. 83.
26. S. C. No. 36 Conf. 176.
27. The reference being to a serious and notorious religious riot which took place in 1895 in the district.

December 1885, the Nadars obstructed the Viswanthaswami procession by starting a procession of their own Goddess Mariamman.[28]

The anti-Nadar party complained to the Government that the Nadars were likely to create disturbance at the Karthigai festival. So the Deputy Collector himself accompanied the procession and there was no disturbance. Since then the Nadars seem to have more or less persistently claimed entrance to the temple and the anti-Nadars have as persistently opposed it.[29]

In 1897 the Nadars with a view apparently to push their claims, removed the Pandarams who conducted the worship at the Bhadrakali Mariamman temple, a small temple in Sivakasi owned by the Nadars. There they appointed for the worship a Brahmin who was brought down from the Coimbatore district through the influence of a Nadar priest. The Brahmin priest on his arrival at Sivakasi struck up a friendship with the pujari of the big Siva temple (the Viswanathaswami temple) and fed with him. This gave the trustee of that temple, a Vellala apparently by castes, the opportunity desired for fomenting trouble, and he reported that the Brahmin brought down by the Nadars brought food which had been polluted by the Nadars into the house of the Siva Brahmin. Disputes followed and the cook of the Siva temple was beaten. The Brahmin of the Nadar temple was refused food in the Siva Brahmin's house and the temple was actually shut to prevent any of the Nadars from entering it.[31]

But thereupon a number of Nadar boys, aged about 12, 14 and 16 continued to enter the Siva temple contrary to the custom. The temple servants drove the boys away and after performing the

28. Judicial Department, G. O. 596, Mis, 26 April 1900.

29. Disturbance in Madura and Tinnevelly, para. 7.

30. The Brahmin priest was popularly known as Mapplia Swamy. Kalidasa Bhattar, the present officiating priest belongs to the third generation.

31. Disturbance in Madura and Tinnevelly, para. 8.

purification cermony, conducted the puja.[32] On 16th July 1898 when the Nadar boys tried to enter into the Siva temple, the temple servants kept them out by closing the front door and the puja was performed with the door closed. The repeated conduct of the Nadar boys enraged the higher classes and on that night the damage to the nandavanam and the front door of the Siva temple was committed.[33]

Serious damage had been done to nandavanam-twenty six mango trees, one hundred and ninety three arecanut, ten almond trees and two hundred plantain trees had been wantonly cut down with knives, axes and saws. Stones fixed in the two wells of the garden and used for bailing water were broken. The damage was estimated at Rs. 300/-. The small trap door *(Thittivasal kathavu)* in the main door of the Siva temple was also damaged by crowbar and chisels and the lock put on the trap door had been removed. After the occurrences neither the Nadars nor the non-Nadars gave any complaint to the police. Vasudeva Rao, the Stationary Second Class Magistrate went to the spot on 17th and inquired into the issues. He examined Sankarappa Naidu, the village Munsif, Kanagasabapathy Bhattar, the temple pujari. Suppu Thevan, the temple servant, Subramania Pillai, the temple Karnam, Sembukutti Nadar, the Nadar ryot, Ulaganatha Pillai, the Revenue Inspector, Vaithianatha Bhattar, Thalawai Asari, Kalimuthu Asari, Sangurathnam and Sornam. He examined the Bhattar to find out the cause for the stoppage of the puja since 17th. The Bhattar stated, because rice and other articles were not supplied by the temple accountant he did not conduct puja. But the temple Karnam stated because the Nadars entered the temple, puja could not be performed without the purification ceremony.

32. Judicial Consultations, G. O. 2017-2018.

33. Letter from C. Vasutheva Rao, Stationery Second Class Magistrate, Sattur to the General charge Deputy Magistrate, Srivilliputtur. dated 21 July 1898, No. 281.

As regards the damage done to the nandavanam, the Nadars accused the other classes as the authors of mischief, while the latter accused the former of having broken the door of the Siva temple. Both parties have filed complaints. On 18th Ponnusami Nadar filed a complaint, accusing ten Maravars and three Pandarms of having caused mischief to the nandavanam. One Veerappa Mudaliar, superintendent of the Siva temple, filed a complaint on the 19th accusing nine principal Nadars for having caused mischief to the trap door of the Siva temple.[34] Even in the course of the legal proceedings the Nadars tried to enter the temple. On 28th July the *dharmakartha* of the Siva temple sent a telegram stating the same.[35] The immediate cause for the revival of the dispute was the appointment of two additional trustees to the temple committee other than the Nadars.[36] The bitter feelings of both parties continued without any change. There was every possibility for a sudden outbreak. On 17th July night some of the Nadar houses were burnt down. Immediately after the receipt of the informafion, the Deputy Magistrate ordered the constables and one head constable armed with carbines to go to Sivakasi. Police investigation was ordered into all the arson cases reported on the 14th, 17th, 18th, 19th and the 20th of July. In all the above cases the police were unable to detect the offenders and the cases were referred to the Magistrates who, late in the year ordered an enquiry into the cases.[37]

On 1st August the head constable-in-charge of the special police at Sivakasi specially asked for orders on the following matters: (1) whether the Nadars were to be prevented from entering the temple altogether, (2) whether they were to be allowed to enter with the other worshippers, and (3) whether when the worship was going on, both parties might not be forbidden to enter the temple or the temple servants alone being allowed within

34. Disturbances in Madurai and Tinnevelly. p. 41.
35. Judicial Consultations, Conf. No. 176.
36. Letter from Saiyyad Mustafa Sahib.
37. Disturbances of Madura and Tinnevelly, para 11.

the temple.[38] The Sub Magistrate ordered distinctly that the Nadars were to be kept outside. The order was appealed against in the Deputy Magistrate's court on the 18th August, on the ground that it was illegal. The Deputy Magistrate on the same day issued an order stating that there was no objection to the decision of the Sub-Magistrate.

Previous to that on the 8th August the trustees of the Viswanatha temple had put in a petition to the Deputy Magistrate asking for an order under section 144 of the C.P.C. prohibiting the Nadars from entering the temple. C. Vasudeva Rao directed the *dharmakartha* of the temple to put up a notice forbidding all Nadars to enter the temple. The head constable was directed to guard himself by the terms of the notice and keep off all Nadars from the temple. He should draw the attention of the Nadars to the terms of the notice forbidding them not to enter, and if the Nadars persist they should be stopped from getting inside.[39]

The case against nine Nadars that they had entered the temple on the 17th July was heard on the 4th August and the 9th September, and the Deputy Magistrate finally gave judgment on the 23rd September, more than two months after the case occurred. The judgment runs as follows :

> "Ninteen witnesses have been examined by the prosecution: P.W.1 being the complainant; P.W.2 is the present dharmakartha of the temple; P.W.3, 5, 10, 11 and 12 are residents of Tiruthangal and Sivakasi; P.W.4 is the village Magistrate of Sivakasi; P.W.6 is the temple panchangam Brahmin; P.W.7 is the temple gumastah; P.W.8 is the late temple monian; P.W.9 is the temple huckdar; P.W.13 is the temple treasurer; P.W.14 is the devastanam inspector; P.W.15 is the late Tahsildar of Sattur; P.W.16 is the late temple dharmakartha from 1876 to 1878; P.W.17 is the late temple

38. Proceedings in the Court of the Second Class Magistrate of Sattur, 1 August 1898.
39. Statement of C. Vasudeva Rao, the Stationary Sub-Magistrate.

superintendent from 1886 to 1888; P.W.18 is the late dharmakartha from 1886 to 1888; P.W.19 is the dikshitar."

Taking the last witness first, his evidence on record is as follows: "He says that it is laid down in Agama Sastras that Kalmashars, Dhwajees, Pariah-Pallars, Podarvannan cannot go inside the temple. He interprets Dhwajee to mean a palm-climber, from the resemblance of a palm tree to a large pole, the original meaning of the word dhwajee. He is able to quote a Sanskrit sloka in which the term kalmasha occurs, but is not able to do so for dhwajees. Kalmasha, according to him, means a Nadan, though he does not know the Tamil language nor the Tamil word 'Nadan'. He is quite ignorant of the Tamil castes and knows very few of them - two or three at most. He did not refer to the Sanskrit dictionary for the meaning of the term Kalmashas, and he interprets that term to mean Nadars, because it occurs in the chapter on 'Prayachita Dipike' or chapter on 'Purification'. He says that the word Nadan or Shanar does not occur in Agama Sastras. Temples dedicated to the public are, he says, open to all Hindus, but that a distinctive place is assigned to each caste for purposes of worship. According to Agama Sastras, he says Brahmins alone should live in Mada and Sannadhi streets and other castes in three other circles of streets; that those who do not go into the temple should live away from all others in the seventh circle, one row or circle to be assigned for each caste. He has no knowledge of what the prevailing custom is at Sivakasi with regard to the entry or non-entry of the Shanars to the temple."

The evidence of the other well known witnesses, mostly temple officials, and servants and three or four local residents, stated upon the usage existing in the Sivakasi temple with regard to the entry of Shanars. Some witnesses say that the Shanars do not go into the temple beyond *(kodavar vasal)* or main gate, because it is not customary for them to go in because according to some they did not see them going in because, according to third, they were not seen in the temple at the time the witnesses visited the same. These witnesses are unable, however, to distinguish

a Shanar from a non-Shanar. They admit that their opportunities for going into the temple were very few and far between such as on occasions of festivals, important ceremonies, or for performance of puja. They state further that if the Nadars go beyond the temple main gate purification becomes necessary, though they know of no ground or reason for such a statement.

In cross-examination, questions were directed on certain points evidencing interest on behalf of the Shanars in the temple affairs, admitted in full by certain witnesses, in part by some and denied *in toto* by others, such as mahazar in 1895, by the Pillais for the appointment of Nadars as dharmakarthas of the temple in question; the performance of *tirkarin* by Nadars (or the ceremony of breaking coconuts as offering to god during the car procession) and the giving of prasadam by Bhattar direct or through some Odhwar; the occupation of houses by Nadars in Madha, Sannadhi and Car streets; the inscription in front of the temple gate in the name of Vizhudu Perumal Nadan; whether Nadars are devotees in the Siva temple; whether there is any Sthalapuranam for this temple; any purificatory ceremony was ever performed previous to the present occasion and whether the accused present had not come there prepared as if for worship.

In order to establish a charge against the accused under the above sections, it is essential to prove that the several elements of the offence have been met by the evidence adduced, the low status of the accused and their consequent prohibition from entering into the temple, the usage of the place in respect of their non-admission, and their entry being an insult to the religion of the worshippers of the temple. On none of these points is there any credible and legal evidence on record. From the answers given in respect of usage of entry into temple and the mahazar in which they were given, one is made to assume the existence thereof, the witnesses being unable to make any statement other than the fact that the Nadars have not been going inside the temple. In a Criminal Court in which the very point is at issue, these statements are not sufficient nor can such a fact be either assumed or

inferred. All customs pleaded must be brought to the notice of the Court by means of legal proof; and custom is not such a state of things that a court could take judicial notice of. The evidence of P.W.19 or the dikshitar is no evidence as to the legal disability of the Nadar class from going into the temple. He admits that the word Nadan or Shanar does not occur in Agama Sastras. His very doubtful interpretation of the word Kalmashar to mean Nadar, doubtful from his own evidence and the distinctive position to be assigned to each caste in temples are questions which have to be determined in the first instance by a Civil Court before they can be accepted by a Criminal Court as legal proof. If Shanars are to be brought down to the level of Panchamas, that must be on legal proof adduced and nothing to the contrary could be presumed to exist. In this case, from what can be judged from evidence, it is the custom of total exclusion of the Shanars from the temple that is sought to be proved and not any restrictive usage regulating their admission or the place of approach in the temple. It seems to me that so long as a Shanar is not shown to be a non-Hindu, he has got an inherent right - a presumption at least in his favour, to worship in the public temples set apart for the Hindus.

Thus the custom to exclude Shanars or exclusion at any time by right has not been proved, any right based on caste distinctions or sastras is a matter for the Civil Courts to determine. A Criminal Court is not the fit place for undertaking the task of going through the sastras or agamas and that function belongs to the Civil Court entirely. To sum up, the prescribed requirements of the sections under which the accused have been charged have not been proved; any law or custom having the force of law has not been established so as to repute the apparent and *prima facie* right of every Hindu to visit and worship in public temples set apart for Hindus. The prosecution must therefore fail. I discharge the accused for the above reasons and direct the parties to seek their redress in Civil Court in view to determine their rights".[40]

40. Judicial Department, G.O.2017-2018.

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On 3rd October Mr. Higgens, the District Magistrate received a petition from the trustees of the Viswanatha temple of Sivakasi, alleging among other things-

(a) that the Nadars had no right of entry into the temple;

(b) that the Nadars had assumed an aggressive attitude at Sivakasi;

(c) that the Nadars had in 1895 tried to get the appointment of trustee of the temple into their hands, which action was stopped by the order of the Guru of the Sri Sringeri Mutt;

(d) that the Nadars in consequence determined in any case to force an entry into the temple, and that they had tried to do so on the 16th July and on the 28th July;

(e) that no order had been passed by the Deputy Magistrate on their petition to him for an order under section 144 of the CPC put in on the 23rd July;

(f) that no effectual assistance had been given to the temple authorities to permit worship in the temple;

(g) that their petition of the 8th August to the Deputy Magistrate was not disposed of;

(h) that the delay in the hearing of the cases by the Deputy Magistrate which continued for long periods and brought crowds into the town, excited the minds of the people on both sides to the highest pitch and produced continual disputes and quarrels which led to more cases in the courts;

(i) that the police were not impartial owing to the amount of money which the Nadars were spending in the town;

(j) that the Nadars were enraged owing to their failure to obtain conviction against the Maravars in a case of mischief;

(k) that on the 7th September the Nadars had again forced an entry into the temple and that the police had charged them;

(l) that the police desired that security should be taken from the prominent members of both castes and that the Deputy Magistrate would not take any action and

(m) that a feast was approaching which would certainly lead to tumult in Sivakasi."[41]

The District Magistrate, forwarded the petition to the Deputy Magistrate on the day of receipt and asked for a report by return post and especially asked the Deputy Magistrate what action he had taken on the petition praying for an order under Section 144. CPC and suggested that inquiry into pending cases might be undertaken at Sattur instead of at Sivakasi.[42] The Deputy Magistrate replied on the 5th October that (1) there was no evidence before him as to the action of the Guru of the Sri Sringeri Mutt; (2) that his judgment in the case against the Nadars for entering the temple on the 16th July night be read; (3) that he had already reported to the District Magistrate about the disturbed state of Sivakasi; (4) that as the case against the Nadars for entry into the temple on the 29th July was under trial he could express no opinion on the matter, that the delay in the trial was due to the delay of the prosecution in putting evidence before him; (5) that from the 11th August up-to-date the town had been quiet; (6) that the petition of the 8th August for an order under section 144 of the CPC was pending because there was no apprehension of a breach of the peace and that the inquiry into the rights on both sides was pending, that the Nadars had abstained from any interference with the temple from the time the inquiry commenced, that there was no indication of any threatened breach of the peace, (7) that the statements in the petition about the excitement in the town were exaggerated; (8) that it was impos-

41. Petition from temple trustees to the District Magistrate, dated 30October 1898.

42. Disturbance in Madura and Tinnevelly, para. 20.

sible for him to pass any orders under section 144, CPC without prejudging the case he had under trial at the time and that the state of the town did not justify any action; (9) that as regards the feast which was to take place and the preparation for it, "it is the unfortunate lot of the Deputy Magistrate of this division; arrangements will have to be made to grapple with the occasion should it arise" and (10) that he was contemplating of moving his court from Sivakasi and that the temple authorities had closed the temple against his advice, although the Nadars had promised not to interfere with the temple worship until the case was decided.[43]

The District Magistrate waited until 21st November to reply to the above explanation which reached him on 6th October 1898, and then as the case above referred to had been decided. Mr. Higgens remarked: "The case having been disposed of, the petition for an order under section 144, CPC is forwarded to the Deputy Magistrate for disposal along with the similar petitions presented to him".[44]

Both the factions were equally dissatisfied over the vague and complicated verdicts of the court of law. It further precipitated matters and caused a violent stir among the two hostile factions. They got ready for the final encounter which was destined to cause serious damage to the people.

43. *Ibid.*, pp. 13-14.

44. Judicial Department, G.O.2017-2018.

3

THE SIVAKASI RIOTS

Amidst the court injunctions and tight police guard the Nadars continued to enter the temples. On 7th September 1898, two Nadars entered the Viswanathaswami temple at Sivakasi in the day time and offered their prayers publicly. On that day the temple was finally closed and remained so upto 6th June 1899. The *dharmakartha* of the temple immediately left the place and stayed in Tirunelveli till 6th June 1899.[1] On 20th April 1899, the local Inspector of Police reported that the Maravars near Sivakasi were urging the Chuckliers there to put on the sacred thread and go to the temple of the Nadars and defile it.[2] It marked the beginning of more organised attacks. A major encounter took place on 26th April 1899. The Marava quarters to the north of the town were in flames and the Maravars and the Nadars were having a free fight in front of the burning houses.[3] The Police Inspector at once went there with the constables. He found the Marava quarters in flames and the fight going on between about 400 Nadars and half as many Maravars. Sticks and knives were being freely used and big stones and bricks were hustling through the air in all directions.

1. Judicial Department, G. O. 2017-2018, Press, Series, 12 December 1899.
2. Disturbances in Madura and Tinnevelly, p. 16.
3. Judicial Department, Conf. No. 176.

The Inspector ordered the crowd to disperse, but the mob fired at him. He continued to warn them of the consequences if they refused to go, but they laughed at him. He sent a message to the Deputy Magistrate to come at once. This was at 3 p.m. when Deputy Magistrate was holding court in the chattram about a furlong away. No answer was given to the message. Then he himself went to Deputy Magistrate, who was in his court, and told him what was going on and begged him to come at once and order the crowd to disperse. The Inspector did not wait for the Deputy Magistrate but ran back to his men as they were getting excited and wanted to fire on the mob. Finally before the arrival of the Deputy Magistrate, he ordered some shots to be fired into the air. The constables fired about fifteen rounds, and the Maravars began to go away, having had much the worst of the row, and their whole quarters being in flames.[4]

While the rioting was going on Sivakasi, station house officer saw three Nadars shooting with guns from the roof of a house. It was reported by the constables and the Inspector. Though they did not see any one firing, they heard many gun-shoots. One of the Maravars was hit with small shot and was admitted in the Sattur hospital. After the Deputy Magistrate's arrival the crowd slowly began to disperse. By 7 p.m. all had gone and the fires were all burnt out. The damage done to the Maravars was great. Forty five houses being burnt to the ground and as many families rendered homeless and practically destitute. The Deputy Magistrate did not take any step to relieve the distress. The damage done to the Nadars was very slight. A row of sheds inside the *pettai* was burnt.[5]

The Nadars came to the station on the same evening and complained that the Maravars had entered the *pettai*, burnt the sheds and looted three small godowns. The very same Maravars

4. *Ibid*, Letter from F.A. Dane, 3 September 1899.
5. *Ibid*, G.O. 2017-2018.

accused by these persons, were seen by the police fighting in the crowd outside the *pettai*, and the complaints of the Nadars appeared to be false, as these men could not be in two places at the sametime. Only five persons were traced with injuries, three Maravars and two Nadars. Of the three Maravars, two had been seriously hurt and the other three persons slightly. Both parties were rather disinterested to give evidence against the other, and the only evidence they could get was from the constables who were present. They identified a large number of both Maravars and Nadars who participated in the rioting, but they could say nothing about the burning of the houses and sheds.

Immediately after the riot the Deputy Magistrate issued a proclamation that any gathering of five or more persons would be treated as an unlawful assembly. The same night at 11 p.m. while patrolling the town, the Inspector came across a crowd of thirty Nadars near the place where the rioting took place, and he asked them what they were doing there. They answered that the Maravars were coming and they were preparing to meet them. The Inspector immediately arrested nine of them and the rest escaped.

Skirmishes started in Sivakasi soon began to spread to other parts of the district and also to the neighbouring districts. The anti-Nadar party changed it into a communal fight. The Maravars took the leadership. They indulged in active violent deeds on behalf of other high caste communities. Ragaviah, wrote: "the feeling of hatred between the Shanars and non-Shanars of Sivakasi has not yet subsided to any extent. The differences that had their origin in Sivakasi between the two communities have developed into a general caste dispute. The effects of these disputes are being felt even in remote villages of the Srivilliputtur taluk".[6]

On 16th May 1899 another letter received by the District Magistrate mentioned that in two villages, Katnarpatti and San-

6. Disturbances in Madura and Tinnevelly, para. 38.

karalingapuram in the Vadimitta estate seventeen non-Nadars had prepared to loot the Nadars and had refused to allow the village washermen to do work for them.[7] On 18th May 1899 a petition reached the District Magistrate by post to the effect that the Maravars and Pillais of Sivakasi had collected some 2,000 men to loot the Nadars.

On 23rd May 1899, the Thevars, Pallars and Asaries of Srivilliputtur and Nathampatti numbering more than one hundred looted twenty five houses of the Nadars and caused a loss of Rs. 5,014 at the midnight. The persons named were those who took a prominent part against the Nadars in a palanquin process-ion four years ago. When Chinnanna Nadar wanted to go in a palanquin for his marriage, it was stopped by the authorities pend-ing production of a civil court decree.[8]

On 24th May 1899, the Sub-Magistrate of Virudhunagar informed the Collector that the feeling between the Nadars and the non-Nadars of Sivakasi were hostile, that three cases of in-cendiarism in the non-Nadar quarters had occurred recently and that the faction was spreading to neighbouring villages and was developing into a general caste dispute. The Nadars of Krishna-peri village in Srivilliputtur taluk, petitioned alleging that, on account of Sivakasi faction, the Maravars of Injar, Managaseri and other villages near Sivakasi, about 2,000 in number had resolved to harass Nadars and had plundered Pettakulam on 23rd May 1899 and committed other minor crimes. They prayed for bando-bust.[9]

On 26th May 1899, the Thevars, Barbers, Pallars, Naicks, Koravars, Chetties and Panikkars of Pettakulam Mangalam Pudu-patti tried to plunder the Nadar houses of that locality.[10] On 27th May 1899 Gurusamy Nadar of Pudupatti (Mangalam), Srivilli-

7. *Ibid.*, para. 36.
8. Judicial Department, Sc No. 29, 23 May 1899, p. 160.
9. Disturbances in Madura and Tinnevelly, p. 120.
10. S.C. No. 23, 26 May 1899.

puttur taluk telegraphed that some Maravars, Pillais, Naicks and Pallars of Anaikuttam and Nameskarithanpatti broke open six houses and some bazaars of their village and plundered them.[11] On the same day Marimuthu Nadan of Velampatti complained that four Nadars were assaulted by the anti-Nadars.[12]

On 29th May 1899 the Inspector of Police, Srivilliputtur recorded in his diary after proper investigation that only Gurusamy's doors (of the house and cotton godown) and Sembukkutti Nadar's shop doors were little damaged. The Magistrate and Station House Officer having finished the inquiry, left the place. Constable 614 informed the Inspector that Solai Thevan of Sankaralingapuram, *kudikavalkar* of the Nadars, told him that there was really no loss on the 26th, that yet the first witness reported a big case out of the petty row that took place on that day and that the gang of persons that committed it enraged at the action of the first witness went again on the 27th evening to the village for purpose of wholesale plunder. He went to them and represented that he was the *kudikavalkar* of the Nadars, that he had his full say, the gang got exasperated and beat him on the head and back for undertaking their *kudikaval*. He continued to beg them into desisting from the plunder, promising to give what the gang wanted, that the gang wanted that there should be no prosecution of the case and that they having come from distant parts and had nothing to live upon wanted atleast Rs.50/-for their expenses, that this amount was paid and they went away. It was all composed of men from distant parts and not any of the accused, that the Maravars were bent upon looting Sivakasi itself, that persons had been sent for the purpose from all parts of Tinnevelly and Madurai districts. The main object of the assembled people was not at all to plunder but the humiliation of Nadars, and that unless the magistracy direct that the Nadars should be kept out of the Siva temple at Sivakasi until they obtain a civil court

11. Disturbances in Madura and Tinnevelly, p. 121.
12. *Ibid.*, p. 95.

decree in their favour in that respect they were determined to go on with the sort of looting until in fright they would offer to keep themselves aloof and permit worship to go on there without their coming in.[13] In considering the question of establishing special parties, the Inspector wanted to station at least two constables with carbines and twenty cartridges in each village where there were Nadars. But the number of Nadar inhabited villages is so great that there would be a great drain on the strength of the force in the district. But as a rule, the Nadars did not keep their valuables on their person or in their houses. They left such things in Sivakasi or Virudunagar in friends' or relatives' houses. Almost all Nadars in villages began to migrate into Sivakasi and all non-Nadars went out of Sivakasi in expectation of the day appointed for the looting of Sivakasi.

On 31st May Annamalai Nadan of Ayyampattimangalam, Srivilliputtur taluk and others gave a telegram to the effect that Pandara Thevan, Nagappa Talaivan, Vellaiya Thevan, etc. numbering 300, had plundered their houses and set fire to them and caused them serious hurt.[14] On 1st June 1899, twenty six houses of Kunur in Watrap were plundered by Thevans, Pallars, Vellalas, and Mudaliyars of that place supported by other hostile outsiders.[15] On the same day non-Nadars met at Karisalkulam in Nathampatti held a meeting and resolved to boycott the Nadars and some 2,000 men were deputed to loot.[16]

On 2nd June the attack commenced. Some women were stripped and left naked. Seeing that, the Nadars became mad and fought. They killed two looters including a teacher, named Muthusamy Pillai, a cousin of Arasappa Pillai, the Kovilpatti Police Inspector.[17] On the same day the Roman Catholic priest at

13. *Ibid.*, pp. 20-21.
14. *Ibid.*, p. 124.
15. *Ibid.*, S. C. No. 83.
16. *Ibid.*, S. C. No. 26.
17. Judicial Department, G. O. 2017-2018.

Pudupatti near Watrap represented that he feared looting at Pudupatti. Two constables were sent to guard the villages that night but nothing happened on that night. The Sub-Magistrate reported that Lakshminarayanapuram was looted and thirty six thatched houses in that village were burnt and a dozen Nadars were wounded. The Nadars were afraid of giving the names of the dacoits.

The report of the Watrap Sub-Magistrate made it clear that the house of one Velappa Mudaliar and the Nadar quarters of Kunur village, Srivilliputtur taluk, were plundered on 2nd June 1899, but this fact was denied by the Nadars. Velappa Mudaliar's allegations seemed to be the outcome of factious quarrel between him and his fellow villagers. A dozen cottage of the Nadars were found damaged. On the evening of 1st June 1899 twenty non-Nadars of Mela Gopalapuram attempted to join a gang which was expected to attack the Nadar quarters of their village. Consequently additional police force was sent for. Five of the men of Mela Gopalapuram were at once arrested and ordered to show cause why security should not be taken from them.[18]

The Inspector of Police, Srivilliputtur stated that there was dacoity, attended with two murders at Karisalkulam on the same day. He wired to District Superintendent of Police for thirty five constables with carbines and wrote to District Magistrate embodying all the above mentioned reports of the Watrap Sub-Magistrate. He made it clear that the faction between Nadars and the non-Nadars was spreading rapidly, numerous rioting had been reported, the local police was utterly inadequate and the villages near Sivakasi remained in commotion. He went to Karisalkulam and other disturbed villages, and wanted the immediate strengthening of the police force at Sivakasi.

On his arrival at Karisalkulam to inquire into the case of dacoity and murder he found gangs of about 500 men advancing

18. Disturbances in Madura and Tinnevelly, p. 125.

on the village with a view to attack the Nadars of the village. He telegraphed to District Magistrate as follows: "Mostly a crowd 500 armed headed by local Maravars, Madura Kallars advanced now on Karisalkulam. We averted attack by firing. They are still attempting to attack police force and ammunition quite inadequate. I hear numerous marauders are assembling here about and near Sivakasi. Four villages already looted. Pray send armed police force immediately". He inspected Kunur where looting was said to have taken place on 1st June 1899. Afterwards he returned to Srivilliputtur, where about 200 military pensioners were mustered on that day. Fifteen constables and two head-constables arrived from Palayamkottai. He sent seven constables and a head constable to Karisalkulam which was being threatened. Then he reported to the District Magistrate that the matters were taking a serious turn; regular marauding gangs headed by Maravars and Kallars were moving about and looting villages and acting under a religious frenzy against the Nadars and that a strong police force should be sent for from the neighbouring districts and the suppression of the gangs systematically set about and that the police on hand were being distributed on as many disturbed villages as possible.[19]

On 4th June Rev. G. S.Price, a C. M. S. Missionary near Sivakasi reported to Mr. Scott that the Maravars were terrorising the Nadars of that place, that the village authorities made light of the disturbances, or did not report them at all. He said that on the 2nd June a village four miles from Tulukkapatti railway station, had been looted and burnt the church and that in the village where he wrote there were numerous marauders.

The minor skirmishes in the nearby villages became the rehearsal for the final sacking of Sivakasi on 6th June 1899. The anti-Nadars made vast preparations for the final encounter. They openly declared the date for the sacking of the town. A notice

19. *Ibid.*, p. 89.

was pasted in front of the main door of the temple. The star kartika assigned to the 6th of June remained suitable astrologically to actions of a wicked nature. Tuesday, the day of the week was also according to Hindu belief suited to the occurrence of untoward events. Further Tuesday was the weekly fair day at Sivakasi and the place being an important centre of trade, the weekly fairs held there as usually attended by a large concourse of people. The Sub-Magistrate of Sattur reported on 1st June 1899 that there was a general panic at Sivakasi and some people were vacating the place in fear of a general commotion, the bazaar street of Sivakasi was not very lively, but no specific complaints came forth and no unlawful assemblies were held.[20]

Before the final confrontation some attempts were made to avoid the impending crisis. On 26th May Chithambara Nadan, Velliappa Nadan, Mariappa Nadan and Arumuga Nadan who later examined as the 7th, 11th, 12th and 13th prosecution witnesses went to Manaseri taluk in a deputation to meet the rival leaders and prevent the threatened looting through friendly discussion. Nagappa Talaivan, the headman of the Maravars accompanied by Velliya Thevan and Arumugam Pillai, the leaders of the anti-Nadar party met the Nadar representatives and asked them to execute an agreement not to ride in palanquins, wash their cloths or enter temples and also to remit an amount of Rs. 10,000 to the Maravar Fund. Of the Nadar deputation one paid Rs. 160 as income-tax, another Rs. 75 and the last one Rs. 12,500. Among them, one member offered Rs. 1000, but that was refused and the meeting ended in failure.[21]

The Christian Nadars also made another attempt to avert the crisis. The Protestant Christian Nadar congregation af Sachyapuram near Sivakasi held their usual circle committee on 26th May and resolved to send a deputation to Velliya Thevan, a leading Maravar of Naduvapatti, asking him not to interfere with the

20. Judicial Department, G.O.2017-2018, Press : Series.
21. *Ibid.*, G. O. 596, Ordinary Ms. 26 April 1900.

Christians. Though the deputation met Ponnusami Thevan, the brother of Velliya Thevan but nothing eventually came out of this attempts.[22]

It seems very probable that it was in the northern parts of Srivilliputtur taluk that the conspiracy to destroy Sivakasi was worked up. On 18th May the Srivilliputtur Inspector reported that two notorious Sivakasi anti-Nadars were in a village in those parts "with a view to raise subscriptions",[23] Arumugam Pillai and Sankaralingam PIllai were the above leaders. The numerous crimes in the northern parts of Srivilliputtur taluk in May were probably done by men who were gathered from different villages waiting for the attack of Sivakasi on 6th June.[24]

On 5th June 1899 the Deputy Magistrate of Srivilliputtur in his letter to District Magistrate referred to the bands of looters, which he stated were wandering in the taluk as 'under a religious frenzy' and carrying on a religious crusade against the Nadars for their success in the matter of entering the Sivakasi temple.[25]

The Nadars were terribly frightened. They despatched a chain of alarming telegrams craving for protection. Some of the telegrams were later submitted before the Legislative Council. On 5th June 1899, Pera Sinanna Nadar of Sivakasi telegraphed to the Superintendent of Police, Tinnevelly that the Maravars, Kallars and Pallars being helped by other caste people marauded the villages of Iyempati, Karisalkulam, Kongankulam, Kattanarpatti, Satisarati and Anaikuttam during the day time.[26]

On that day the same person despatched a telegram to the District Magistrate, Tinnevelly: "I crave honour sufficient pro-

22. Disturbances in Madura and Tinnevelly, p. 24.
23. Judicial Department, Conf. No. 176.
24. *Ibid.*, para. 42.
25. *Ibid.*, G. O. 596, C.C. 39 of 1899.
26. Vide, Appendix, No. III.

tection of person and property is indispensable to Sivakasi Nadars from marauding of Maravars and their addition which will commence 6th Tuesday morning".[27] On the same day Pathamuthu Nadan of Sivakasi gave a telegram stating that the non-Nadars with Vendar Arumugam Pillai. etc., as ring leaders had collected thousands of men and were making all arrangements to deprive them of everything and plunder, their houses, and praying that the Superintendent of Police should be addressed to send one hundred constables with guns to Sivakasi.[28]

The officers concerned gave little or rather no importance to such telegrams even though they were fully aware of the grave situation. On 29th May, the Deputy Magistrate wrote to the District Magistrate from Rajapalayam that the hostility between the Nadars and the Maravars was deepening day after day, that the Kallars of Pathakulam, Pudupatti and some other villages in the Watrap division of Srivilliputtur had been committing mischief on the Nadars. He expressed his opinion, besides strengthening the police in Sivakasi, a party of armed constables should be made to patrol the chief centres of Marava and Nadar population of Sattur and Srivilliputtur taluks. The Inspector of Police, Srivilliputtur considered that the facts had been exaggerated and the complaints were not levelled against any particular person. But he concluded by saying that "inspite of all this it must be admitted that there is something brewing which may burst out at any moment".[29]

On the other hand the Government proceeded to disarm the villagers and residents in Sivakasi interested in the temple dispute. The Inspector of Police, Virudunagar reported on 24th May the names of twenty three license-holders whose guns had been deposited in the Sivakasi police station owing to non-renewal of licenses and the names of six licenses-holders possessing guns

27. Judicial Department G.O. No. 1813, 14 November 1899. Legislative Council Questions asked by M.R. Ry. Ratnasabhapathi Pillai.
28. *Ibid.*, Conf. 179.
29. Disturbances in Madura and Tinnevelly, para. 43.

and recommending that the whole of Sattur taluk should be disarmed.[30] The Sub-Magistrate of Virudunagar discussed the advisability of disarming Sivakasi and the neighbourhood. He understood that some arms were secretly deposited in certain places for use in an emergency. The Maravars and other classes were gathered outside Sivakasi ready to pounce on the Nadars.[31]

As per their pre-arranged plans the anti-Nadar groups began to rush to the Sivakasi town in huge numbers. At that time a Police Inspector, a Sub-Magistrate and twenty constables were present there in the station. When they were in the eastern street a constable who had been posted in the western part of the town came and informed them that large crowds of people were coming from the west. They then moved westward. When they reached the bridge on the road between the union office and the police station about 4,000 men came in front of them on the roadside. Those people gathered in the open space in front of the union office. They were all armed. Madar Hussain saw some thirty or forty guns among them. They were armed besides with sticks and sickles. They came within a distance of about 25 or 30 yards from the police force. They were very desperate. The policemen asked them to disperse and said that, if they did not retreat, firing would be followed. They refused to disperse at any risk and said that even if a thousand of them were to die they would not retreat.[32] At this juncture crowds poured into the town from other sides and surrounded the policemen. They thought that if they fired, the rioters would not only snatch the guns from them, but use them against the Nadars and kill the policemen and the result would be more disastrous than otherwise. So the Sub-Magistrate wired to the District Magistrate at Srivilliputtur at

30. Judicial Department, G. O. No. 2017-2018.

31. *Ibid.*, G.O. 596, C.C. No. 39 of 1899.

32. Proceedings of the Government of India in the Home Department, Public, July 1899, No. 575-580.

about 9 a.m. About noon or 1 p.m. he received a reply from the District Magistrate that he would reach Sivakasi in two hours and asking the Sub-Magistrate to keep cool. The policemen stationed themselves at the bridge. They could not go either forward or backward. After the rioters entered the town, they heard the sound of buildings fall, roars of the people and several reports of gun. They saw the buildings in fire. Later on they came across people carrying away wounded men on *tatties* through the Muhammadan quarters. The Inspector watched the females carrying water to the looters from the western end of the Muhammadan quarters. Between 3-30 p.m. and 4 p.m. the rioters began to clear out. The District Magistrate and the District Superintendent of Police arrived at about 4 p.m. When the District Magistrate and the Superintendent of Police came, the policemen also followed them the bazaar street which had been already plundered and reduced to ashes.

Before the arrival of the District Magistrate and the mobilisation of the police forces the anti-Nadars murdered twenty five Nadars, destroyed several houses and caused immense loss to their wealth.[33] As per the local tradition more than two hundred people lost their life.[34] The corpses were buried near Periyakulam, in the eastern part of the present Sivakasi Municipal office. That area is still uninhabited by people.

But the Nadars also made an unexpected resistance. They erected barricades near the junction of the east and south car streets placing planks to facilitate movement from roof to roof, distributing the guns available, and preparing a solution of chilly powder and boiling oil to pour on the invaders. Women and children had been brought to south car street for safety, and these preparations were for the most part confined to that portion.[35]

33. *Report on the Administration of the Madras Presidency during the year 1899-1900,* Madras, 1900, p. 1.
34. Interview with S.S.V. Gurusami, Editor of *Sivakasi Murasai* and author of Sivakasi Directory, 2 October 1982.
35. Judicial Department, G.O. 596, Ordinary, Ms. 26 April 1900.

தமிழ் நாடு பாலிடெக்னிக்
மத்திய நூலகம்,
சென்னை-600 025

The evidence furnished by the witnesses examined on behalf of defence and the prosecution shed valuable information on the details of the fight. The direct evidence regarding the murder of Arunachala Nadan was given by Sangili Nadan, the 70th prosecution witness. His house was situated adjacent to that of the father of Nelliayappa Nadan, the 67th prosecution witness and of the deceased. Hearing a noise and gunshots Sangili Nadan left his house and saw Arunachala Nadan standing infront of Chidambara Nadan's house, into which they both went and shut the door. The looters coming up battered it in and the witness escaped by another door into the yard. Arunachalam, who had been with the witness in an inner pial jumped down, and Muthukaruppa Pandaram, the 2nd accused struck him with a sickle, Arunachalam warded it off with his left arm, but one Subbiah Pandaram stabbed him with a Malabar knife, Muthukaruppa Pandaram took the gridle off his waist and two ornaments from his ears. Sangili Nadan stood at the door, and was detected looking in. They cried, "There is a Shanar, seize him", and he went into the backyard and hide himelf behind a bundle of firewood.[36]

The murder of Shengaliyayi and her child by Ramasami Theven and Marimuthu Thevan, the 94th and 10th accused was directly supported by the evidence of Uthiramadan Nadan and Karuppana Nadan, the 59th and 60th prosecution witnesses. Uthiramadan Nadan lived near Gurusami Nadan's godown, a terraced building south of the Mission Hospital east of the Sattur-Srivilliputtur road. His wife Shengaliyayi could not walk to the south street, where most of the women and children had been taken for safety. So he took her to Gurusami Nadan's godown only after sunrise. They found there Krishna Nadan, and his wife, and Karuppana Nadan and Ilayaperumal Nadan, 60th and 61st prosecution witnesses. At about 15 naligais, Karuppana Nadan saw the looters, headed by Mutharasu Pandaram 6th accused. Immediately after the sight of the people there the crowd

36. *Ibid.*, p. 21.

rushed to the godown and broke open the doors. Velayutha Pandaram, 14th accused dragged Krishna Nadan by his hair, on to the road and a Rawther cut the head with a sickle. Shengaliyayi was there with a child on her arms and one Marimuthu Thevan, 10th accused took the jewel from her ears. Ramasami Thevan seized the three months old child from her arms and threw it on the road. Then he dragged her to the road by her hair and cut off her head with his sickle. Uthiramada Nadan cried "you have killed my child, and are wounding my wife". They said "there is the fellow, seize him" he got down into a vacant backyard to the east and escaped, hiding himself till about 2 naligais before sunset under the mudwall on the west to the east. Then hearing people saying that the District Magistrate had come, he went back to where his wife was killed, but could not find her body there. His child was lying under a Margosa tree, east of the road, and he took it up, it was alive at that time but its head was bleeding from both ears. The District Magistrate and the District Superintendent of Police saw it, and told him to take it to the hospital and the child died there in the hospital. His wife's headless body was also brought shortly afterwards and he identified it by its cloth, guinea worm marks and tatooing.[37]

Annamuthu Nadan, the 63rd prosecution witness and his deceased brother, Palaniappa Nadan, were in their house in Arusikulam street, where gunshots were heard east of the street. Palaniappan went inside to pick up their vessels for removal. Annamuthu saw the looters coming from the west and on seeing them went off 30 yards distance, and waited in a lane east of the house, for Palaniappan. But when Palaiappan came out of the house Muthukaruppa Pandaram, 2nd accused seized his hair, and cut off his head. Annamuthu ran off east to the south street where his aunt lived. After the arrival of the Collector he returned at four or five naligai before sunset and found Palaniappan's head which he took to the station, but the trunk was not found. The witness

37. *Ibid.*, para. 60.

was aged 18 years, and Palaniappan was 16. He gave a statement on the 8th and signed the inquest report on the 7th.[38]

Chinna Nadan, the 64th prosecution witness saw the looters south of Nellukadai mukku and rushed back and entered into Arunagiri Nadar's terrace which is south of the east-west portion of Arusikulam street. The looters came by the lane saw Palaniappan with platters and *chembus* in his hands. Muthukaruppa Pandaram seized the hair of Palaniappan and said 'strike the Shanar' and cut his head off with a sickle. He dragged the trunk away by the leg and at this point, Chinna Nadan got down and ran away.

Kalimuthu Nadan, accountant of the Ammankoyil, the 24th prosecution witness who had gone to the Ammankoyil *pettai* to watch for paddy carts, inorder to levy the tax on them due to the temple immediately got on the terrace of a building belonging to the temple in which the silver *vahanam* or pedestal used by the God in procession is kept. The crowd looked for it there but did not find it and Vaduganatha Thevan, the 1st accused said: "the man who removed it is above, seize him and beat him". But he succeeded to escape without injury.[39] Muthappa Nadan, the 26th prosecution who paid income tax and involved in the riot of 26th April was at the eastern end of the south car street. Hearing a shot he got on to the terrace of the adjoining shop. He looked up in time to see Arunagiri Nadan fall, and that one Muhamed Khasim had fired at him. He kept his head below the parapet and saw Vaduganatha Thevan in front of the crowd with a gun. Kanagasabapathi Pillai, the 32nd prosecuticn witness's shop was situated on the west of the car street and he was there at the time of the loot. Hearing the gun shots, he went to the upper part of the building and then heard shops being broken down in the north.[40]

38. *Ibid.*, p. 82.
39. *Ibid.*, para. 18.
40. *Ibid.*, para. 22.

Chinnakannu Nadan, the 44th prosecution witness who lived on the northern side of Sattur road hearing the arrival of the looters took a tick and sickle and ran off. He eventually joined a body of Nadars who offered resistance north of the church. The attacking party, armed, came from south to north and broke open shops and opened fire.[41] Likewise the depredations continued throughout the day. The officials stood mere spectators of the pillage and rampage. From midnight dacoities the rioters ventured on broad daylight dacoities.[42]

After a perusal of the documents, connected with the riots J.P. Heweett, Secretary to the Government of India, Home department informed the Chief Secretary to the Government of Madras: "It appears to the Governor General in council that the district officials had ample warning of what was likely to happen and the acts of wholesale murder, blood shed and arson which were committed in June last might have been prevented or atleast largely mitigated but for the incompetence and indifference of those officials".[43] With the connivance of the responsible officials the dillage and rampage assumed alarming proportions in other parts of the Presidency. The rioting commenced at Sivakasi rapidly spread from the Ramnad district borders to the Tinnevelly district and caused great deal of havoc to human life and property.[44]

41. *Ibid.*, p. 74.
42. *Madras Mail*, 13 October, 1899.
43. Vide-Appendix, No. III.
44. Rao Sahib, V.S. Padmanabha Ayyar, *A Short Account of the Tinnevelly District*, Palamcottah, 1933, p. 46.

4

SPREAD OF VIOLENCE

After the final sack of Sivakasi, the rioters dispersed themselves into different directions and continued their plunder and pillage with added vigour. They systematically tried to annihilate the Nadars from the nearby areas. Frightened Nadars took shelter in distant areas. Those who stayed back were subjected to the most brutal treatment. In the beginning the administrative machinery failed to extend any protection to the life and property of the Nadars in those areas.

At 9 a.m. on 7th June 1899, the Thevars and Konars of Nagaram above 200 in number assembled near the tank-bed and refused to disperse unless the Nadars paid them Rs. 500. The Nadars promised to give Rs. 300 and immediately paid Rs. 150.[1] It avoided an immediate attack upon the Nadars of Nagaram. On the same day at 2 p.m. the Vellalas in the west of Iyampatti village burnt one house and looted property worth of Rs. 647 when all the Nadars were out in palmyra garden. At 2-30 p.m. the Thevars and Naiks of Iyampatti east looted the Nadar houses and plundered jewels, grain and which amounted to Rs. 4,082.[2]

1. Report on the Disturbances in Madura and Tinnevelly, S. C. No. 48, D. C. No. 73.
2. S. C. No. 61, D. C. No. 91.

On 8th June some three hundred to four hundred Thevars and Vellalas of Sivanananjapuram within the Koilpatti station limit burnt Nadar houses and looted jewels, cotton, grains, cloths and brass vessels worth of Rs. 2,214.[3] On the same day at noon the Thevars, Reddies, Pallars, Vellalas, Barbers, Chetties, Muhammadans, Naiks and Asaries of Chinnayapuram village under Vachakarapatti station, who numbered 2,000 made a mass attack upon the Nadars and murdered three of them. They burnt thirty houses which caused loss for Rs. 35,000 and looted property worth of Rs. 25,000. A big terraced house and bazaar were knocked down with crow bars. In the encounter three Nadars lost life, six were badly wounded, twenty including women were slightly wounded. Some fifteen earlobes were torn while removing jewels. Majority of the women took refuge in the Lutheran church. The looting took place in the presence of the police. They fired and killed one of the rioters. Again when the police tried to arrest the culprits they fired at the police under the direction of Sungama Naik of Veerapatti, Ettiyapuram zamin, Shunmuga Ramu Pillai and his brother Tirupalkadullanatha Pillai of Mannarkottai zamin.[4]

At the sametime some forty strangers entered the village of Tulukkapatti and plundered three Nadar houses.[5] At 2 p.m. another group headed by the Vellalas looted one house at Muthulapuram and left the houses of the poor Nadars untouched.[6] The Thevars and Parayas of Sentateyapuram looted one Nadar house and a bazaar in the village on the same day. The Nadars escaped from the attack by quitting the place.[7] Another group of one hundred Thevars and Dhobies looted 233 houses of Kilakalangal village within the Uthamalai station limits and plundered wealth worth of Rs. 8,219.[8]

3. S.C.No.83, D.C.No.89.
4. S.C.No.35, D.C.No.105.
5. S.C.No.34, D.C.No.101.
6. S.C.No.58, D.C.No.87.
7. S.C.No.23, D.C.No.77.
8. S.C.No.14, D.C,No.96.

On 9th June 1899, five hundred Thevars, Pallars and Naiks of Agraharapatti plundered the Nadars of that village under the leadership of Muthukaruppan Servai, the village post-master.[9] At 11 a.m. some Thevars and Chuckliers looted seventeen houses of Ellunthakulam and plundered property worth of Rs.5,931. Madakannu Nadan in his complaint stated that the looters tore the earlobe of a female named Avadi, who later committed suicide. The Village Magistrate, a Naicker who failed to report the case upto 21st, recorded in his inquest report it as an accidental death.[10]

On the same day another gang looted twenty two houses at Kattarankulam in the Manur station and captured jewels, grain and clothes worth of Rs.4,014. The Nadars were severely beaten by the marauders.[11] The attempted looting and savage of the Thevars and Rowthers at Kullampulli village within Sendamaram station limits was aborted by the police interference.[12] At 3 p.m. another band of looters plundered nineteen Nadar houses and two Chucklier houses and captured property worth for Rs.5,267 from Kullipathi village of the Surandai station area.[13] At 4 p.m. they looted fifteen houses of Tirukundapuram village of the same station limit. [14]

On 10th June, at 3 p.m. the Thevars, Rowthers, Oilmongers and Yeddayans burnt two hundred houses of Reddiarpatti or Venkateswarapuram village of Uthamalai. A church was also looted. Torn the ears of four females, they caused a total loss for Rs.4,984.[15] At 1 p.m. another crowd of 900 consisting of the Chuckliers, Vellalas, Parayas, Pandarams, Asaries, Pallas, Barbers

9. S.C.No.36, D.C.No.106.
10. S.C.No.17, D.C.No.51.
11. S.C.No.20, D.C.No.107.
12. S.C.No.26, D.C.No.103.
13. S.C.No.30, D.C.No.101.
14. S,C.No.31, D.C.No.102.
15. S.C.No.18, D.C.No.109.

and Koravans plundered sixty six houses at Vagaikulam in Manur and took property worth of Rs.4,481.[16] Some two hundred persons looted seven houses of Allagiyapandeyapuram of that station area.[17] Five houses of the Ukkarunkottai village were also plundered.[18] On the same day noon at Parengundapuram of the Ponpulli station some five hundred Thevars, Muppans, Chuckliers and Asaries looted fifty six houses of the Nadars and burnt a Christian church and destroyed its furniture.[19] Simultaneous plunders took place at Kalingapatti and Maruthayapuram villages of the above station limit on the same day noon.[20] At 10 a.m. four houses of Tirumalaipuram and at 2 p.m. eight houses of Periapillaivalassi of Ponpulli station limit were subjected to the looting.[21]

On 10th June the looters carried out their plunder in the villages of Chettikurichi and Mathallapuram. At Achampatti, a gang of five hundred persons entered the village at 7 a.m. But the timely interference of the station house officer and policemen saved the villagers.[22]

At 1 p.m. on 11th June, a band of looters mostly Thevars of Vadakan Elanthaikulam along with the Chuckliers, Muppans, Dhobies, Konars, Asaries, Pallas and Vellalas caused depredations in the village of Aigelandapuram and burnt ninety five houses. On the basis of the complaint of Annamalai Nadan, the station house officer and his men went to the village which was in flames. He fired at the mob, arrested two Maravars and seized two loads of property dragged away.[23] Same day two hundred persons armed with bill-hooks and lathies went to Sevanthapatti, Erachi

16. S.C.No.21, D.C.No.109.
17. S.C.No.22, D.C.No.110.
18. S.C.No.23, D.C.No.111.
19. S.C.No.32, D.C.No.106.
20. S.C.Nos.41-42, D.C.Nos.149, 142.
21. S.C.Nos.20-24, D.C.No.100.
22. S.C.No.14, D.C.No.49.
23. S.C.No.14, D.C.No.46.

and cried "set fire-loot". But the prompt interference of the police saved the situation.[24] On the same day some 300 to 400 persons collected in Pikkalapatti near Uppathur to attack Uppathur. The police advanced towards them and asked to disperse. Following their refusal, police fired at them and it resulted in the death of one man and wounding of two. The police arrested forty persons.[25]

On 11th instant at 8 a.m. 200 Maravars way laid a Nadar on his way from Kalugumalai at Atchankundram and robbed him. That group was moving to loot the villages of Karavanatham and Atchankundram. At 10 a.m. simultaneous attacks took place on Ayapuram and Vadumpudur in Ponpalli and Lutchumepuram and Atchankundram in Surandai. At Ayapuram seventy seven houses were burnt and eighty one houses were looted. It caused a total loss of Rs. 8,696/-. At Lutchumepuram forty five houses were looted. Four houses were plundered at Vadumpudur. At Atchankundram fifty four houses were looted and one house was burnt.[26] At noon twelve Nadar houses were burnt and ninety seven houses were looted at Kuthukalvalsai in Ponpalli. The total loss was estimated Rs. 11,525.[27] At the same time another gang set fire to ninety Nadar houses at Karunanathan in Uthamalai.[28] At 1 p.m. they moved to Kadanganeri, where they burnt two houses and looted forty eight houses. At 3 p.m. thirty five Nadar houses were looted and two houses were burnt at Kunnapillaivalasai.[29] At Kotaikulam in Tenkasi some fifteen houses were plundered by the Thevars, Vellalas and Parayas at 4 p.m. They were led by Soureyan, a K.D. of Travancore who belonged to the Paraya community.[30] In Peramur Vellum of the same station area, the

24. S.C.No.16, D.C.No.41.
25. S.C.No.64, D.C.No.96.
26. S.C.Nos.22,27,42,43. D.C.Nos.143,144,145A,145B.
27. S.C.No.28, D.C,No.145C.
28. S.C.No.15, D.C.No.119.
29. S.C.No,21, D.C.No.113.
30. S.C.No. 82, D.C.No.108.

Thevars, Konars, Viragi, Panikkars, Rowthers. Muppans, Pallas, Parayas, Vellalas and Barbers under the leadership of Vellaiya Thevan burnt one hundred and ten houses. They also looted a chapel.[31] Another gang under the leadership of Munayandi Thevan and Arunachalam Viragi, plundered the village of Masimjapuram in Tenkasi.[32] At 5 p.m. they looted thirty houses at the village of Ninampatti, tore the earloges of two females, and knocked out the teeth of two persons; several were left with the marks of beating and also twenty four houses were burnt.[33] At Reddiarpatti the Nadars were attacked by Thevars on their way to the police station to give evidence against Reddiarpatti people.[34]

On 12th June at 6 a.m. thirty eight houses were looted at Athisayapuram in Surandai and damaged the church properties.[35] At 8 a.m. the Thevars and Pillais of Kedarakulam in Uthamalai looted twenty houses and burnt three. The police stood as mere spectators.[36] At 10 a.m. the Thevars, Konars, Asaries, Pallas, Chuckliers and Parayas numbering one thousand broke into the church at Uthamalai. They had stolen the property and wounded two males and three females. They burnt seventy five houses and looted property worth of Rs. 2,390.[37]

At the sametime the Thevars, Muppans and Chetties burnt thirty five houses and looted thirty five houses at Thiyatopu of Surandai.[38] Ninety five house of the Muthukrishnaperi and Ranagopalaperi villages in Pavur were burnt by the Thevars and Vellalas at noon the same day. In the encounter one Pillai and one Thevar died of wounds inflicted by the Nadars. Odaya Thevar of Kalinga-

31. S.C.Nos.81,83,80, D.C.Nos.107,109,112.
32. S.C.No.79, D.C.No.110.
33. S.C.No.42, D.C.No.79.
34. S.C.No.42, D.C.No.94.
35. S.C.No.48, D.C.No.141.
36. S.C.No.21, D.C.No.149.
37. S.C.No.17, D.C.No.134.
38. S.C.No.45, D.C.No.145.

patti and V.M. Subramania Pillai of Veerakera'ampudur were severely wounded.[39]

In the village of Ayankulam within Alankulam station limit five hundred Thevars, Parayas, Vellalas and Pallas tried to loot the village. But it was resisted by the Nadars, though they were defeated by the enemies.[40] Another encounter took place at Pattamudayapuram of the same station. There the Nadars murdered two of the looters. The looting was carried out by Konars, Potters and Tondimans (chunam makers). They burnt seventy six houses inspite of the resistence of the local Nadars.[41] The most cruel looting of that day took place at Thanmuthu in Sendamaram. About 600 people entered the village and burnt sixty houses and looted another sixty. A woman aged seventy was also burnt to death. The total loss of property was estimated as Rs. 10,000/-.

On 13th June at 8 a.m. 2,500 persons who belonged to the communities of Thevar, Muppan, Viragi, Pallan, Rowther and Brahmin armed with guns, knives and other weapons burnt nine houses in Nainaragaram, five in Arnagiripuram and seven in Dorasamipuram in the Kadayanallur, looted nineteen houses and captured property of Rs.9,288.[42] At 9 a.m. a Nadar house in Edaikal another place in the same station area was plundered by 1,500 Maravars armed with the same deadly weapons.[43] At noon Subbiapuram and Rettakolam, two villages in Surandai were attacked and looting was carried out.[44] At 4 p.m. the Thevars, Pallas, and Panikkars of Tirumalapuram in Sendamaram who numbered 400 burnt hundred Nadar houses and looted property of Rs. 5,000/-[45] A similar attack was made in the village of Nachiapuram

39. S.C.No.32, D.C.No.117.
40. S.C.No.10, D.C.No.116.
41. S.C.No.11, D.C.No.116.
42. S.C.No.47, D.C,No.128.
43. S.C.No.47, D.C.No.127.
44. S.C.Nos.35,35, D.C.Nos.121,122.
45. S.C.No. 30, D.C.No.129.

in Uthumalai at 4 p.m.[46] Two hundred persons of the Thevar and Paraya communities attacked and set fire to seven houses in the villages of Avenkudiyeruppu and Sickadevelli of the Alankulam station. A similar attempt at Achampatti was foiled by the immediate arrival of the police.[47]

On 14th June at 10 a.m. the District Magistrate and the District Superintendent of Police while patrolling the village of Karepankulam in Alankulam, heard of a gang of some of 500 persons consisting of Thevar, Chetti, Weaver, Asari, Muppan, Paraya and Konar communities were on the move to destroy the Nadars in that village. The police party immediately faced the gang, arrested forty and dispersed the rest.[48] At 1 p m. a gang of Thevar, Konar and Rowther looted the village of Koleyanars in Surandai. A Nadar woman by name Arulache ran away from the looted house and fell into a well and was drowned. Another woman, wife of Pillaiperumal was found missing.[49] At Ammayapuram, Pavanasham, and Aruvakulam in Surandai the Nadars ran away from their houses and escaped from the hands of the looters.[50] At Purandepuram in Surandai eighty houses were burnt and eleven were looted at 2 p.m. They were all very poor people.[51]

At the sametime largescale attacks were made on the villages of Kalunpulli, Arayanaiyagapuram, Chinnathambi Nathanur and Arunachalapuram in Sendamaram. At Kalunpulli 54 houses were burnt including eighteen christian houses and one house of a Nadar barber and caused a loss of Rs. 5,000/-.[52] Some 500 Maravars, Naiks, Konars and Muppans looted and burnt ninety six houses of Arayanaiyagapuram and destroyed property of Rs.

46. S.C.No.19, D.C.No.136.
47. S.C.No.16, D.C.No.42.
48. S.C.No.12, D.C.No.119.
49. S.C.No.37, D.C.No.139.
50. S.C.No.46, D.C,No.151.
51. S.C.No.39, D.C.No.141.
52. S.C.No.34, D.C.No.132.

5,000.[53] At Chinnathambi Nathanur a crowd of Maravars, Rowthers, Pallas, Naiks, Asaries and Panikkars burnt seventy houses and looted other seventy nine houses. The total loss was estimated as Rs. 6,000/-.[54] At Arunachalapuram the Thevars, Konars and Pallas burnt 104 houses and severely wounded seven Nadars.[55]

On 14th June some 300 persons looted the bazaars of Vadivelu Nadan and Arumuga Nadan at Pungavaranatham.[56] On the same day at 7 a.m. the Nadars of the same village complained to the Joint Magistrate at Eral that a crowd of Maravars were coming to loot their village and asked him to come over. He went and found a Muthia Thevan of Nathampatti tied up, by the Nadars. He was severely cut all over his body. The Nadars said he was one of those who came to loot. Rice and other things were fount all scattered in the street. Three or four maniyagaran watchers of the village were also tied up. Muthia Thevan stated that he took a letter to a Pillai in Kadugudi from Sene Naik of his village, having given the letter, he was returning and when passing Pangavarantham twenty five Nadars attacked him, beated him with sticks and knives, tied him to the wheel of a cart, then to a tamarind tree and then in the bazaar and also scattered their rice and other things to strengthen the case. It was carried out under the leadership of Koruplhi Nadan of Naduvapatti. A case was filled against thirteen Nadars. [57]

On 15th June at 2 p.m. a gang of 200 persons approached to the village of Kalugumalai to loot the Nadar houses. The immediate interference of the station house officer and the village magistrate made them to disperse.[58] They made another attempt upon Aigelandapuram in Kaitar on the same day. There also the

53. S.C.No.34, D.C.No.147.
54. S.C.No.33, D.C.No.131.
55. S.C.No.34, D.C.No.132.
56. S.C.No.14, D.C.No.96.
57. S.C.No.13, D.C.No.92.
58. S.C.No.15, D.C.No.48.

police captured their weapons and arrested some of the looters.[59] At Karisalkulam, the same day noon some thirty strangers entered the house of Paranam, a fairly well-to-do woman of the village.[60] Again attempts were made at Nagalapuram, Kurukalpatti, Vettarampatti, Umayanpettiai, on 17th June, but police vigilance avoided any serious developments.

On 17th June the Maravars and Pallas of Pungavaranatham village proceeded to revenge on the attack of Muthiya Thevar. They were equipped with sticks, knives and stones. The Inspector immediately went to the spot and arrested one Pandaram of Pasuventhanai, the rest of the crowd immediately disappeared from the spot. Pareasami Pandaram stated that the gang consisted men of Nagampatti, Pasuventhanai, Sivellapare of Palamcottah and Thethampatti villages. The gang was headed by Subba Thevan, Ponnaya Thevan and Subbu Pillai, the gunpowder manufacturer. They carried gun powder to set fire to the houses.[61]

The looting gangs continued to terrorise the Nadars regularly inspite of the vigilance of the police forces. On 21st June the Naiks, Thevars and Goundars of Maveliodai went to the house of Katava Nadan armed with sticks and spears, threatened to set fire to his house and loot it, because he had subscribed to the Kamuthi fund. The station house officer immediately rushed to the spot and arrested sixteen persons.[62] On the same day a gang of 300 persons collected in the coconut garden of Vandamitta zimin to loot the Nadar houses in Thiagarajapuram, Kulhothu and Raniseri under the leadership of Vadamalai Appa Pillai of Muthulingapuram. Some of the looters already participated in the Sivakasi loot and two of them had gun shoot wounds. The police interference prevented the plunder.[63]

59. S.C.No.15, D.C.No.48.
60. S.C.No.68, D.C.No.98.
61. S.C.No.17, D.C.No.93.
62. S.C.No.20, D.C.No.111.
63. S.C.No.88, D.C.No.109.

At Thalavaipuram in Ottappidaram Mosai Nadan's house was looted by twelve Maravars on 27th June because he gave subscription to Sivakasi Nadars. On the same day the Nadars of Arayanaiyagapuram in Srivilliputtur were prevented from drawing water from a well by the Sudras. As per the order of the Sub-Magistrate three Nadars were arrested.[64] On 29th more Nadars were assembled there and insisted on drawing water from the same well.[65]

The dissensions and depredations continued to spread causing severe havoc to the life, liberty and property of the people. Commenting about the lawlessness in Tinnevelly Rev. A. Margochis of Nazareth wrote on 1st September, 1900 in the *Advocate of India* that a reign of terror existed in the Tinnevelly district and many of the towns and villages were practically under the control of the lawless people and the inhabitants were at their mercy. In the Srivaigundam taluq alone, within a few weeks, there were dacoities at Tiruchendur, Ammanpuram and Srivaigundam and a man was murdered and his wife severely injured on the high road near Alvar-Tirunagari. The police inquiries very often terminated in nothing. The state of the inhabitants was well exemplified by the fact that a Hindu widow recently brought Rs. 25/- to him requesting him to purchase a revolver for her as she thought it was necessary for her protection. Many people purchased fire arms and there was a loud and bitter cry against the police and their inefficiency. It is estimated that there were 15,000 Maravars last year engaged in the anti-Nadar riots in the north of the Tinnevelly district of whom about 1,000 were arrested and tried, with the result that some 500 of them were convicted. The remaining people continued to molest the Nadars.[66] Surrounded by hostile forces from all sides, the Nadars craved for the immediate intervention of the British Government.

64. S.C.No.37, D.C.No.86.
65. S.C.No.39, D.C.No.94.
66. Judicial Department, G.O.Nos. 1578-1579, 31 October 1900.

1905

5

GOVERNMENTAL RESPONSE

The faction-feeling continued without any remarkable change. Hammick stated that in Tinnevelly at that time, every Nadar whether Hindu or Christian took one side and every non-Nadar Hindu took the otherside. Even the Muhammadans were not neutral. In Sivakasi the leading Muhammadans joined the Maravars. In Tenkasi, a Labbai, member of the Muhammadan community encouraged the Nadars in some villages to become Muhammadans.[1] The matter became the talk of every bazaar and every village and everybody took one side or the other. Hammick made discussions with all classes and he never came across anyone who had not views on the matters and generally pretty violent ones. The Nadar advocate Mr. Thompson when he appeared before Hammick for the Nadars, told him that the Nadar Party were all afraid, of the juries and requested the transfer of the cases.[2]

1. Edgar Thurston wrote that during the disturbances in Tinnevelly in 1899, some of the Nadars, men, women and children were said to have gone into the Muhammadan fold, there places of worship being converted into impoverished mosques, [*Ethynographical Notes in Southern India*, (Reprint) Delhi, 1975, Part II, p. 390.]
2. Judicial Department, G.O.No.1227, 8 August 1899.

The Government of Madras informed the Government of India that the faction feeling in Tinnevelly and neighbouring district was so strong and the effect of intimidation so certain that it was impossible to expect impartial verdicts. The few neutral natives were subjected to intimidation. The European jurors were not available in sufficient numbers and their employment open to objection. Fair trial by common or special jury was very difficult in the districts of Tinnevelly, Madura, Trichinopoly, Tanjore or even South Arcot. Great inconvenience would be caused if venue was changed to a more distant district. The Government of Madras was therefore constrained to move Government of India under section 269, Criminal Procedure Code to sanction suspension of trial by jury in cases connected with the anti-Nadar riots.[3] On 8th August 1899 the Government of India authorised the Madras Government to implement their proposal.[4] Thus Special Magistrates and three additional Sessions Judges were appointed for the trial of the offenders at Tinnevelly. Sir C. Sankaran Nair was sent from Madras to conduct the more important cases.[5]

A series of cases were filed against the persons who were involved directly or indirectly in the riots. Nineteen hundred and fifty eight persons were arrested.[6] At Sivakasi, cases were filed against ninety four persons under sections of 148, 149, 302, 307, 326, 324, 354, 395, 396, 397 and 436 of I.P.C. for rioting armed with deadly weapons, as members of unlawful assembly for committing the offences of murder, attempt to murder, causing grievous hurt by dangerous weapons or means, house breaking in order to commit offence, dacoity, dacoity with murder, dacoity with attempt to cause death or grievous hurt and mischief by

3. Ibid., G.O.No.1334, 30 August 1899.
4. Home Department, Br. Police Proceedings, October 1800, 83-84.
5. Sir C. Madhavan Nair, *A short life of Sir C. Sankaran Nair*, Madras, n.d., p. 25
6. *Ibid.*, p. 25.

fire with the intention to destroy a house, abetment to murder and murder.

Accused Nos. 1, 2, 4, 7 to 10, 12 to 14, 16 to 25, 27, 29 to 31, 33 to 38, 40 to 43, 47, 49, 51 to 53, 55 to 61, 63, 66 to 68, 70, 71, 73, 74, 76 to 86, and 88 to 90 were sentenced to ten years rigorous imprisonment on account of murder and dacoity with murder, punishable under sections 302 and 396 of I.P.C. and the other offences against the person of which they have been convicted and two years rigorous imprisonment on account of the remaining charges, the two terms to run consentively.

Accused Nos. 32. 64, 92, 44, 45, 46, 54, 62, 69, 72 and 75 were sentenced to five years rigorous imprisonment each on all charges. Arumugam Pillai, 3rd accused and Nagappa Talavan, 93rd accused were charged with abetment by conspiracy of the above mentioned offence and the verdict awarded was transportation for life to Arumugam Pillai and ten years rigorous imprisonment to Nagappa Talavan. Mutharasu Pandaram, 6th accused was also punished with life sentence. Muthukaruppa Pandaram, Marimuthu Theven, Velayutha Thevan and Ramasami Thevan, 2nd, 10th, 14th and 94th accused were sentenced to be hanged subject to the confirmation of the High Court. Among the four, all except Velayutha Thevan were convicted each of two offences punishable under section 302 I.P.C.

Among the accused Mayandi Thevan, Veerappa Thevan and Murugandi Thevan, 26th, and 48th died in the course of the trial. Karuppanan Maniagaran, 65th accused became insane. Subbaya Thevan, Mukkan Asari, Vendia Kudumban, Perumal Thevan, Tirumal and Mariappa Thevan, 11th, 15th, 19th, 50th, 87th and 91st accused were acquitted.[7] The trial lasted for about six months. The fairness with which he conducted the prosecution gained for Sankaran Nair great praise from both the government and the public.[8]

7. Judicial Department, G.O.No. 596, 26 April 1899.
8. Sir C. Madhavan Nair, *op.cit.*, p. 25.

The appeals against the sentences of the additional court of sessions of the Tinnevelly Division in case No.39 of the calendar for 1899 was taken up by the High Court in July 1900. The High Court accepted the verdict of the Sessions Court with slight modifications. In the judgement it was recorded : "in conclusion we wish to record our appreciation of the care and completeness with which the Sessions Judge has set forth and analysed the great mass of evidence recorded in this case whereby our examination of it has been greatly facilitated." Of the capital punishment awarded to four of the accused three were confirmed, Marimuthu Thevan, the 10th accused was acquitted on the specific murder charged against him, but was found guilty and the sentence was confirmed under the general charges. Sholai Naik, the 38th accused, Marimuthu Thevan, the 35th accused, Sakkana Thevan, the 36th accused, Venkatasami, the 82nd accused and Nagappa Talavan, 93rd accused were acquitted and set at liberty.[9]

Likewise the caste Hindu officials who connived with the rioters were subjected to serious punishments. Among them Ramaswami Aiyar of Sivakasi, Velayudan Pillai of Mudalipatti, Marimuthu Thevan of Kalbothu and Kumaramuthu Maniagaran of Kauniseri, the village munsifs in the Sattur taluk were dismissed and ten village munsifs of the same taluk were suspended. Venkatasami Naik of Vadagari, Maunar Aiyengar of Krishnaperi, Subba Aiyar of Injar, Bodi Aiyar of Vadapatti, the village munsifs in the Srivilliputtur taluk and Subramania Pillai of Veerakeralampudur in the Tenkasi taluk were dismissed and several others were suspended. Other than the village munsifs, many karanams and talayaris were also relieved from service.[10]

In spite of the precautionary measures and also the court proceedures the situation continued to be tense. In anticipation

9. Vide, Appendix, 1.
10. For details, Vide Judicial Department, G.O. 462, 27 March 1900, Appendix, IV.

of the revival of the hostilities the Muhammadans of Kamudi telegraphed to prevent the procession of the Nadars through their street.[11] On 13th June 1901 the Governor of Madras prohibited a similar pracession of the Nadars through a certain street in the Karisalkulam village inhabited by Konars for a period of six months from the 17th June 1901. It was only a renewal ot a previous order under section 144 of the Criminal Procedure Code.[12]

The Government continued to seek measuras to prevent the atrocities committed on the Nadars. As a first step they carried a thorough reorganisation of the police force. For the further protection of the riot-proned areas three special companies of police were stationed at Sivakasi, Surandai and Koilpattipatti, the cost of the force being defrayed by the inhabitants of the disturbed areas.[13] The Government drafted the service of the sepoys from Trichinopoly as well as extra police force from the neighbouring districts to quell the disturbances.[14]

To prevent future troubles M. Hammick recommended the permanent stationing of three hundred police punitive force selected from districts other than Madurai and Tinnevelly and the imposition of a tax for its maintenance on three hundred and thirty nine villages in the taluks of Tenkasi and Sattur. In conclusion he pointed out that until the establishment of the additional police force, the sepoys stationed in the districts should be retained, in view of the fact that very little reliance could be placed on the village officers and village servants throughout the district and that so many of the locally recruited police had failed to do their duty. In such a context it became difficult to maintain peace and order in Tinnevelly. The authorities were to be backed up by a very substantial force ready to act at once. Had not Mr. Bedford

11. Judicial Department, G.O.No.143, 30 January 1900.
12. Ibid., G.O.No.871, 13 June 1901.
13. *Report on the Administration of the Madras Presidency during the year 1899-1900*, Madras, 1900, p. 12.
14. *Ibid.*, p. 1.

acted with the promptitude he showed and had he not so rapidly reinforced the police in the way he did, the disturbances would no doubt have spread over all the districts and their suppression might have become a matter of extreme difficulty. Thus the Government notified under section 15 of Act V of 1861 that for five years from the coming into force of the proclamation, a police force, in addition to the ordinary fixed contingent quartered in the said areas should be entertained in those areas and that the cost of that force should be defrayed by the inhabitants of these areas, according to such apportionment as might be made by the Magistrate of the District.

On 4th September 1899, E.S.B. Stevenson, Deputy Inspector General of Poiice submitted a detailed report suggesting some permanent remedies for the settlement of anti-Nadar movements in the districts of Tinnevelly and Madurai. As a first step he proposed the transfer of certain villages from the Madurai district to Tinnevelly. The six villages of Madurai viz., Vellore, Chidambarapuram, Sathur, Pillaipatti, Sellappapatti, Kumarapuram and Muthukumarapuram attached to the Kalpatti station, Tirumangalam division from which they are situated 12, 12½, 12½, 12½, 12½, and 11 miles away respectively and they should be transferred to the Amathur station, Virudupatti division, Tinnevelly district from which station they are only 2½, 2, 2. 2, 3 and 3 miles distance respectively.

The villages of Ammapatti, Kuppanapuram, Ruthrapanickanpatti, Tulukkapatti and Muthukumarapuram of Kalpatti station from which they are 13, 14, 15, 15 and 16 miles respectively, should be transferred to Nathampatti station, Srivilliputtur division from which they are 1½, 3½, 6, 4½ and 6 miles, respectively. The following villages of Sholaipatti, Kottanipatti, Koraikani, Manampatti, Vaiyur, Redraptti, Chatrapatti, Kuchampatti and Kunjapatti were attached to Amathur station limits, Virudhupatti division. These villages are situated 12, 10, 11. 10½, 9, 8, 7, 6½ and 11 miles, respectively, from Amathur station. They should be trans-

ferred to Kalpatti station, from which they are only, 2, 2, 1, 1½, 3, 4, 5, 5½ and 1 mile, respectively.

He further suggested that the villages transferred from the Madurai to the Tinnevelly district be made to pay for the upkeep of the punitive forces as well as those that were transferred from Tinnevelly to Madurai as they had already been included in the Government notification. He recommended the increase of the sanctioned strength of the police force in Aruppukottai, Virudupatti, Kalpatti, Saptur and Nathampatti stations and the establishment of a new station at Santhiyur. He suggested the transfer of the headquarters of the sub-Magistrate and the Inspector from Tiruchuli to Aruppukottai and it should be made a municipality. The headquarters of the punitive force was also fixed at Aruppukottai.

The average number of crimes and occurrences reported at the Aruppukottai station during the years between 1890-1900 was 205 per annum. The population of Aruppukottai proper at that period was nearly 15,000. The villages and hamlets of Chockalingapuram, Velayudapuram, Nallur, Peria Pulliampatti, Velavandapuram, Chinna Pulliampatti, Muthuramalingapuram and Maharajapuram are situated at a distance of two fourlongs from Aruppukottai. A little to the north or north-east of Aruppukottai lies Pulliampatti, a major union and the headquarters of a sub-division zamindar of Ramnad with a population of 5,300. Pulliampatti and Aruppukottai are closely connected with one another, resembling Peria and Chinna Conjeevaram towns. Aruppukottai has only two head constables and 15 constables and there were 67 villages, many of them having a population of over 1,000 inhabitants. Aruppukottai and Pulliampatti remained thriving towns of commercial importance with an ever increasing population. At that time Tiruchuli was a miserable little place having a population of only 3,700. More than half of the crime of the Tiruchuli division was committed within the Aruppukottai station limits. But for timely arrangements having been made Aruppukottai would have fared the same fate as Sivakasi. Aruppukottai and Kamudi conti-

nued as the chief centres of Nadar industry and enterprise in Madurai as Virudupatti and Sivakasi in Tinnevelly.

Aruppukottai is situated ten miles from Virudupatti and the road between the two places required to be carefully patrolled. Seven miles of the road, that is, as far as the villages of Pallavanatham, belonged to the Aruppukottai station limits. There were two police talayaris, sanctioned for this portion of the road. The remaining three miles belonged to the Virudupatti station. Half way between Virudupatti and Aruppukottai a *tanna* should be erected similar to those they had in Madurai, should be attached to the Virudupatti station. The four talayaris, with two men from Aruppukottai and two from Virudupatti, should be specially sent off for the patrol of this road. One talayari and one constable of Virudupatti should always be on patrol duty between the *tanna* and Virudupatti. They should patrol for four hours at a time. Those off duty, i.e., two constables and two talayaris, should remain at the *tanna*. The constable should be changed every third day. The patrol should be checked at least four times a week by the station-house officers. The strength of Virudupatti should be increased by two men and that of Aruppukottai by at least eight men.

Kalpatti station was attached to Tirumangalam taluk. It is situated on the frontier between Madurai and Tinnevelly. It had six beats with ninety seven villages. Its strength was only one head constable and six constables. It is evident also that the crime in those villages were not all registered. The average total number of crime and occurrences for ten years was calculated as eighty nine per annum. But during 1897 and 1898 there were 145 and 108 respectively. It is significant that the village of Vellore, which is fifteen miles from Kalpatti, was the scene of the most serious anti-Nadar disturbance in the Madurai District. The strength of the station should be increased by three constables. The remarks regarding Kalpatti applied with equal force to the Saptur station in the Madurai district and Nathampatti in Tinnevelly district. The strength of each station should be increased by

two men or a new station should be opened at Santhiyur on the Madurai frontier, almost due north of Nathampatti and about half way between Saptur and Nathampatti. Between Saptur and Santhiyur is the village of Periyur. If a station is not opened in Santhiyur, seventeen extra men would be required as per above recommendations. But if a station is opened, it required one head constable and eighteen men.

In conclusion he stated that a sub-Magistrate should be stationed at Sivakasi. All cases coming of the anti Nadar quarrel should be tried in future by a European Magistrate. Further the Tahsildar Magistrates should be empowered to investigate grave crimes in Sattur, Srivilliputtur, Tenkasi and Tirumangalam taluks and the number of Brahmin and Vellala officials should be reduced. The Brahmins watched the present movement with keen interest, for they themselves were running some risk of being supplanted by the artisan classes for puja purposes. Further it would be most unsafe and imprudent to leave Madurai unguarded and to the mercies of the local police, who all were non-Nadars. The Government should guard against arson, unlawful interference with the lawful trade of the Nadars, scares and panics at certain weekly markets and crimes of theft and mischief committed in carrying the boycotting.

On 12th September 1899, L. Buckley, the District Magistrate of Tinnevelly approved all the proposals of Stevenson and forwarded the same to the Government of Madras. On 3rd October 1899, M. Hammick objected the change in the alternation of areas of the district limits, establishment of Aruppukottai Municipality and the trial of the Nadar cases by the European magistrates. He recommended all other proposals of Stevenson. Further he suggested that the punitive police should be ready to march at two or three hours notice, and they should also make frequent movements through the area which they had to protect. To enable them to do the duty each body should be equipped with tents, cooking pots

and pack-bullocks for transport.[15]

The punitive special force at Aruppukottai was disbanded on 5 November 1905 but the force at Kamudi was retained till 31 March 1907.[16] Because in Kamudi the feeling of enmity continued to exist. For instance on 15th July 1907, Gillman, the District Magistrate of Madurai reported to the chief secretary to Government that at Kalloorani fourteen miles from Kamudi where there had always been extreme friction, after weeks of mutual vituperation and attempts to invade each other's quarters, the Nadars taking the opportunity of the other castemen being away, assembled in a body and paraded the caste streets. But there was no one to resist them and no harm was done worth mentioning. The dispute originally began about a caste well which Nadars claim to use. Over this, there was a disturbance in 1906 and after protracted litigation which had been in the High Court some Nadars had been convicted of rioting and the Additional District Magistrate who called up all the papers had passed a final order under section 147 that the Nadars had no such right as they claimed.[17] On the basis of his request the Special Police Force employed at Kamudi was permitted to remain till 31st March 1908. Again on 13th February 1908, Gillman repeated the request to extend the period of the punitive forces. He stated that the old animosities between the Nadars and the other Sudra castes were as fierce as ever and were liable to blaze out over trivial incidents.[18] On 19th March the Madras Government further decided to retain the special force stationed at Kamudi till the 31st March 1909. It was notified, under section 15 of Act V of 1861, as amended by Act VIII of 1895, that until 31st March 1909, the existing Special Force should be retained in the said area and the cost of that force

15. Judicial Department. G.O.No.704, 18 May 1900.
16. Ibid., G.O.No.728, 22 May 1903, G.O.No.1551, 25 October 1900 and G.O.2031, 31 December 1901.
17. Ibid., G.O.No.1332, 16 July 1907.
18. Ibid., G.O.No.450, 19 March 1908.

should be defrayed by the inhabitants of the area, according to such apportionment as might be made by the Magistrate of the district.[19]

The arrangements were made as a precautionary measure anticipating the decision of the Privy Council. In the year 1908 the Privy Council in London declared that the Nadars were not entitled to use the caste Hindu temples since they occupied an inferior status in the caste hierarchy. On receipt of the verdict from the highest court of appeal instead of continuing the struggle they constructed new massive temples in the Brahminical style and tried to confine themselves within the precincts of their respective temples for a short period. It brought a period of lull in the temple entry movement in Tamil nadu. Afterwards when the Justice Party and the Self Respect Movement advocated for removal of social disabilities and the restoration of the social justice, the Nadars joined in large numbers and continued the struggle with added vigour.

19. For details, Vide by the same author, 'Punitive Taxation - A Documentary Study', *Quarterly Journal of Mythic Society*, Vol. LXXV, Bangalore, 1984, pp. 424-432.

CONCLUSION

The Sivakasi riots of 1899 represented a violent reaction of the Nadars against an oppressive system under which they were suffering for long. In history nothing happens suddenly, for behind every movement there is a long period of gestation and preparation. The ancient Tamil society was free from many of the evils like glaring inequality and steep gradation. But the situation that was considered as much ideal and traditional began to change as a result of the migration and invasion of the Aryans, the Muslims, the Marathas and the Telugus. The people of the land who were mostly Adi Dravidas and Dravidians were reduced to servitude. They were not only deprived of their land but also were relegated to the background in the social hierarchy. Together with these people their deities also suffered. The caste Hindus gained a dominant status in the society while the traditional deities were condemned as devils. In the temples that erected, they were denied admission and condemned them as untouchables and unapproachables.

Inspite of the social evils such an iniquitous system came to prevail from age to age. This was mainly because the ruling classes allied themselves with the spiritual leadership in the society. In other words political authority operated from the highest ladder in the caste system.

But this situation changed with the advent of the European powers. Despite the alien character of British rule, what was significant about it that it was much free from caste control. In the place of birth and status what counted in the new system were hard labour, merit, ability and character. Further the spread of Christianity and English education eroded the myth of caste superiority. The suppressed communities reacted effectively to the opportunities that the British administration offered. Among the backward communities the Nadars were in the forefront to give manifestation to the working of their suppressed resources. They abandoned their traditional professions, took up cultivation, trade and industry and emerged as a prosperous community. As their wealth grew in voulme they decided to regain their original status in the society.

This search for new identity led the Nadars to two courses of action. Many of them abandoned the Hindu fold, converted themselves to Christianity and emerged as leaders of the Christian community. At the sametime the rest of the Nadars decided to remain within the Hindu fold and wrest for themselves a status of respectability. Towards this end they adopted different methods. They submitted documents in support of their claims. They adopted the powers and privileges enjoyed by the caste Hindus like the processions in palanquin, wearing of sacred thread and claimed a Kshatriya descent. Some of them became vegetarians. After the adoption of the symbolic paraphernalia exercised by the caste Hindus, they claimed the right of temple entry which was denied to them. They wanted to secure freedom of worship and thereby attain reform and progress in religious, social and political life. First they tried to secure the entrance through legal machinery. They submitted petitions and registered cases for securing the right to worship in the caste Hindu temples. The cases at Tiruchendur, Madurai, Srivilliputtur, Sivakasi and Kamudi went against the pretensions of the Nadars.

Naturally, the Nadars were driven to desperation. At several places they armed themselves and attempted temple entry

through force leading to clashes with other communities. In this chain of violent reaction, the Sivakasi riots were of major significance. The riots continued for more than a month, they had their repercussions in the different parts of South India and had their echo even in England.

The caste Hindus could not tolerate with the violation of the deep-rooted customs. They wanted to preserve the citadel of casteism as well as their social paramountcy. For that they strengthened their position and made a united venture to resist the move of the Nadars. All the non-Nadars ignoring their superior - inferior or upper - lower status joined together and declared open hostility against the pretensions of the Nadars. The Brahmins and the Vellalas gave them intellectual leadership. The caste Hindus utilised the service of the Maravas not only to shield their own interest but also to counter the Nadar claims. The Muslims also found their position as traders jeopardised by the growing economic power of the Nadars. The other non-caste Hindus including the Pallas, the Parayas and the Chuckliers also sided with powerful and influential anti-Nadar group. During the *valankai-idankai* dispute of the early period usually the non-caste Hindus were broadly divided into two hostile groups. In the temple entry agitation all the communities joined together and tried to crush a particular community. But immediately after the riots when cases were filed against the rioters, the caste Hindus who abetted the crisis tried to shield themselves leaving the non-caste Hindus to the tenterhooks of jurisprudence.

Though the immediate results were disappointing from the view point of the Nadars, these riots evoked a new interest in social reform and administrative reorganisation. The Nadars gained a new sense of unity and self-confidence. They established their own temples in total disregard to the traditional system. The initiative that was taken by the Nadars in bringing about social reform was before long pursued by the enlightened sections in different communities.

APPENDIX, I

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Tuesday, the seventh day of August, One thousand nine hundred

PRESENT :-

THE HONOURABLE MR. JUSTICE BENSON, AND

THE HONOURABLE MR. JUSTICE MOORE.

CRIMINAL APPEALS NOS. 226, 230 to 234, 236 to 248, 276, 277, 280 to 283 and 382 to 390 of 1900.

Appeals against the sentences of the Additional Court of Sessions of the Tinnevelly Division in Case No. 39 of the Calendar for 1899.

These appeals coming on for hearing on the 30th and 31st July and the 1st, 2nd, 3rd, 6th and 7th August 1900; upon perusing the petitions of appeal and the record of the evidence and proceedings before the Court of Sessions, and the evidence taken in this Coutt, and upon hearing the arguments of the Honorable Mr. P. Ananda Charlu and Mr. K. Venkatalingam, Vakils for the 2nd appellant in Criminal Appeal 226 (3rd prisoner), of Messrs. John Adam, Counsel, and M.C. Parthasaradhi Aiyangar, Vakil for the appellant in Criminal Appeal 230 (38th Prisoner), of the Honorable Mr. P. Ananda Charlu, Vakil for the appellants in Criminal Appeals 280 to 283 and 236 and 239 (8th, 16th, 23rd, 24th, 31st, 35th, 36th, 37th. 57th, 67th, 84th, 89th, 82nd, 86th, 92nd, and 93rd Prisoners), Mr. S.S. Venkataramana Aiyar, Vakil for the other appellants in Criminal Appeal 226 and for the 2nd appellant

in Criminal Appeal 276, and for the 2nd appellant in Criminal Appeal 277 stating he had no instructions and these appellants not appearing in person, and counsel not appearing on behalf of the other appellants, and upon hearing the arguments of the Public Prosecutor in support of the convictions, the Court delivered the following.

JUDGMENT :-

These appeals arise out of what is known as the Sivakasi case, the worst of the anti-shanar riots that occurred in the district of Tinnevelly last year. There had long been violent ill-feeling between the Shanars and the non-shanars of the district owing to what the latter regarded as the unfounded and insolent claims of the Shanars to the use of certain temples and to act in cetrain other matters as the equals of the non-shanar Hindu community. The Shanars had been publicly warned that they would be punished if they persisted in their claims and accordingly on the 6th June last, a crowd of several thousand persons, mostly from other villages, and armed with guns, bill-hooks, sticks &c., entered the village of Sivakasi, where many of the offending Shanars lived, and, passing through the non-shanar part of the village proceeded to the Shanar quarter and set it on fire in every direction, robbing and murdering the inhabitants, and looting the houses. At one point the Shanars resisted and killed several of their assailants and eventually the rioters dispersed having killed a number of men, women and children, burned some 500 houses of the Shanars, and taken with them an immense quantity of loot. A very large number of the rioters were brought to trial and were convicted by the Sessions Judge on charges of dacoity, dacoity with murder, rioting armed with deadly weapons and other minor offences. These are what the Sessions Judge calls "the general charges"—the offences committed by all the rioters, as members of an unlawful assembly and in pursuance of their common object which was to punish and terrorize the Shanars by burning the village and robbing the inhabitants.

Four of the rioters (accused 2, 10, 14 and 94) were also found guilty of specific acts of murder and were sentenced to death, subject to the confirmation of the High Court. The Referred Trial and their appeals have been heard separately, and the sentences on all except the 10th have been confirmed by this Court. He was acquitted as to the specific murder charged against him, but was found guilty and the sentence was confirmed under the general charges. The present appeals are presented by the other accused persons except No. 34 who were found guilty by the Sessions Judge at the same trial.

It will be convenient to deal first and separately with the appeal of each of the accused whose case has been argued before us.

CRIMINAL APPEAL No. 226 of 1900.

The only one of the accused in this appeal whose case has been argued before us is the 3rd, named Arumugam Pillai. He was a stamp vendor, and for some time a Union Panchayetdar. He was at first a law agent for the Shanars but afterwards transferred his services to the non-shanars, and for at least four years prior to the riots he had taken an active and a leading part in opposing the claims of the Shanars. In 1898 he and the 6th accused had been bound over not to make disturbances in the precincts of the Siva temple at Sivakasi, and at the time of the riot security proceeding were pending against him and others in connection with a riot which had occurred between the Shanars and their opponents on the 26th April 1899.

He has been convicted in the present case as one of those who took part in the actual attack on Sivakasi on the 6th June 1899, and also of a specific act of abetment of the offences committed by the rioters by reason of the part which he took in what is known "as the Manaseri incident" on the 26th May 1899. The defence with regard to the riot of the 6th June Is a most elaborate *alibi*, evidence being adduced to show that he was in Madras on the 5th, 6th and 7th June. The Public Prosecutor does not deny that the accused was in Madras on the 7th June, but argues

that there is no satisfactory proof that he was in Madras on the 5th or 6th June, or on the 7th June before 7-45 a.m., the hour at which the mail train from Tinnevelly arrives at Egmore Station, and that his presence in Madras after that time is not inconsistent with the evidence of the witnesses for prosecution who prove that he took part in the riot on the morning of the 6th June. Many of the transactions by which it is sought to prove *alibi* are purposeless except as creating evidence of the *alibi*. The pleader for the accused, while hardly denying this, explains that the accused anticipated that disturbances would take place on the 6th June, and that he would be accused by his enemies of taking part in them, and that he, therefore, as a prudent man, went to Madras days before the riot and took steps to have abundant proof of his presence there at the time of the riot. The case for the prosecution is that he, in common with nearly every one else in the locality, knew that the village was to be burned and plundered on the 6th June, and, having made elaborate arrangements for the creation of evidence to prove his presence in Madras about that time, was emboldened to accompany the rioters in the early part of the day and set them fairly to work, after which he caught the mail train (which leaves the stations adjacent to Sivakasi shortly after noon each day) and arrived in Madras at 7-45 A.M. on the 7th, and then took part in the various transactions which show that he was in Madras on that day. The Sessions Judge accepted the evidence for the prosecution and discredited the *alibi*, and that is also the conclusion at which we have arrived. It is not necessary for us to refer to the evidence in such detail as the Judge has done, but we briefly state the view we take of its truth and effect. The railway station nearest to Sivakasi is Tulukapatti which the mail train to Madras leaves at one minute before one o'clock in the afternoon. It is only five miles from Sivakasi. It is therefore clear that the accused might have been with the rioters until about 11 o'clock or a little later on the morning of the 6th June, and still have been in Madras on the next morning at any time after 7-45 o'clock. There is ample evidence that the actual attack on Siva-

kasi was made at about 9-30 or 10 o'clock in the morning when it was immediately set on fire in various places and plundered, but the rioters had been collecting and cooking food outside the village from early in the morning. The prosecution evidence is that the accused was with the rioters at this cooking and in the early part of the rioting. No doubt in Exhibit P_8 —the dying declaration of Arunagiri Nadan, who was shot by the rioters—the translation makes the witness speak of the riot having occurred in the "afternoon", but this is a mistranslation. The words (Pagal Madiyam) mean "in the day time" or "in broad daylight," and the general tenor of all the evidence, including the telegrams to the Collector and Superintendent of Police, shows that the attack was made at about 9-30 or 10 o'clock, and that by the rioters were leaving the place with their loot after several of them had been killed by the resisting Shanars. No less than six witnesses prove the accused's presence at Sivakasi on the morning of the 6th June. Two of these (Nos. 21 and 22) speak to his presence with the armed crowd who were cooking at the chuttram outside the village and who afterwards went into Sivakasi and set fire to it. Neither of them are Shanars, and both gave statements on oath to the Magistrate a few days after the riot in which they told the same story. Four other witnesses (Nos, 18, 19, 20 and 23) speak to what occurred after the 3rd accused and the rioters entered the village. The 18th and 19th witnesses were wounded by the rioters, and they all had their shops plundered. The first three of them speak to the fact that this accused was armed with a pistol and a bill-hook and took an active part in the riot. One of them speaks of him as armed with a gun, but as this is in contra-distinction to another rioter who was armed with a "big gun" and as the gun is spoken of as held "within the hand", we conclude that this witness meant that accused was armed with a pistol, as stated by him in his deposition to the Magistrate a few days after the riot. The 18th witness says that the accused actually fired at him when he was on the terrace, and called on the crowd also to fire at him. All these witnesses live at the place and had every opportunity

knowing what occurred. They all gave sworn statements to the Magistrate a few days after the riot in which they implicated this accused in the same way as they did at the trial. Their evidence was not shaken in cross-examination, nor was any prior enmity or other reason for their giving false evidence established. It is not suggested that they might have been mistaken as to this accused's identity. He is said to be a man of commanding figure and was a public character well-known to every one in Sivakasi.

In addition to this oral evidence, there is also the dying declaration (Exhibit P_3) of Arunagiri Nadan taken by the Magistrate on the very day of the riot in which he states how he was shot and names this accused and four others as the leaders of the crowd that looted the village. No one of these witnesses makes reckless charges against a large number of persons. Each one names only four or five persons. From every point of view the evidence is *prima facie* entitled to credence and was not shaken by cross-examination. Is it shown to be false by the counter evidence for the defence? On the 9th June a warrant was issued for the arrest of the 3rd accused, followed by the usual proclamation, but he could not be found until the 2nd August, when he was arrested in a remote village in the Coimbatore district. After the arrest of the accused, his nephew, with whom he stayed in Madras, gave up to the police the diary of the accused in which his movements from the 12th April until arrest profess to be recorded. This diary was evidently prepared with the intention of being used for defence in the event of a charge being brought in regard to the riot. It records hardly any particulars of transactions on any days except the 5th, 6th and 7th June. It, for the most part, merely gives the name of the village where the accused was staying each day but on those three days, and especially of the 6th and 7th, the entries are copious and minute, including letters and telegrams received and sent, and the time at which events happened. This diary is the basis of the *alibi* which the accused puts forward. The evidence adduced aims at proving that he was in Madras on the 5th, 6th

and 7th June, that on the 5th he borrowed Rs. 45 on a promissory note from one Shunmugam Pillai, that on the 6th he was seen by the Sub-Postmaster of Egmore, and made an appointment at Nicholas and Co's shop to be photographed on the next morning, and that he was, in fact, so photographed and afterwards got the promissory note registered. There are also a number of post-cards, letters and telegrams which purport to have been sent to him at Madras, or by him from Madras, on those days. Of these it is enough to say that they are of no ideal value when once it is clearly understood that the accused was deliberately creating evidence of various kinds with a view to prove his presence at Madras at a particular time. They could all have easily been prepared beforehand for despatch or receipt on the desired days, and the purposeless character and vagueness of the communications in them (mostly about the health of persons who were perfectly well) lend probability to the suggestion that they were so concocted. One document, Exhibit 45, seemed to us not open to his general criticism. It is a receipt signed by the accused for a telegram, Exhibit 44, purporting to be from one Arunachellam Pillay of Sivakasi. This receipt from the Egmore Railway Station with the telegram at 8-40 p.m. on the 6th for delivery by a peon who did not return until the next morning. The entry in the receipt states that the peon returned at 7-30 a.m. to the Telegraph office but neither the peon nor the signaller were called by the defence to prove the entry, and for this reason the Judge attached no importance to the entry. It seemed to us that there was a presumption in favour of the correctness of an entry apparently made in the ordinary course of business by a person in a quasi-public office, like that of the railway telegraphs, and it also seemed to us that the entry, if shown to be true, would be very strong evidence of the truth of the *alibi* for which accused was contending. We therefore procured the attendence of the signaller (Rajendram Pillai) who entered the time of return as "7-30 a.m." and examined him. His evidence, however, showed that no reliance could be placed on the entry as proof of the time of actual return. He had no recollection of having made the entry, though he saw

it was in his hand. He could give no explanation why the telegram was not delivered on the evening of the 6th when it was sent out and said that the entry was not necessarily made at once on the return of the peon, but that the receipt might, if he were absent from the office when the peon brought it in, have been left on the file, and the entry as to time of return filled in at any time afterwards, on his return, from information given by the peon. With regard to the telegram itself we agree with the Judge that it was one sent in order to create evidence of the *alibi*. It was sent from Dindigul, though the alleged sender lives in Sivakasi, and the sender was not called as a witness. It runs "Wire immediately Karuppaya Pillai about your health". The supposed sender is the brother-in-law of the accused, and there was no ground for this urgent enquiry after the health of the accused. It may, as the Judge suggests, have been sent by the accused himself when passing Dindigul on the previous evening. We are not prepared to accept the contradictory oral evidence of the two witnessses—both nephews of the accused—who speak to the time when and circumstances under which, the receipt was signed by the accused.

We turn now to the bond for Rs. 45 which is said to have been executed on the 5th and was certainly registered at 2 p.m. on the 7th. The analysis of the evidence in regard to this transaction made by the Sessions Judge shows that it was a mere sham and represented no real transaction between the accused and nominal lender of the money. The reason given for not registering the document on the 5th or 6th is manifestly insufficient and untrue for the alleged lender did not attend the Registration office himself even on the 7th. We agree with the conclusion that no part of the alleged transaction is proved to have taken place as alleged on the 5th or 6th and the registration at 2 p.m. on the 7th, at which the accused was certainly present, is not inconsistent with the case for the prosecution. The fact that the accused desired to have conclusive proof of his presence in Madras on the 6th and yet, for no adequate reason that he can assign, failed to obtain it by registering this document on that day affords the

strongest reason for believing that the real reason is that suggested by the prosecution, viz., that the accused was not in Madras at all on those days.

This too is the conclusion towards which the evidence in regard to the photograph also leads. The photograph was, it is said, to have been taken on the 6th, and the four persons included in it (viz., the accused. his two nephews and his servant) went, according to the case for the defence, to Nicholas and Co's shop to be photographed at 3 o'clock on the afternoon of the 6th June, but were told that it was then too late and were directed to come next morning. This they did and were told then duly photographed. The evidence of the two nephews and servant is interested and untrustworthy for the reasons stated by the Sessions Judge. The only independent evidence to the transaction is that of the native manager of the shop, and his evidence is inconclusive. He cannot remember having seen the accused on the 6th June and his evidence as to the time when the photograph was taken on the 7th was contradictory and did not show with any certainty that it was earlier than 9-30 or 10 o'clock—a time which would not be inconsistent with the prosecution case. It is to be observed that the photograph was not taken by this man, but by a European, named Higginbotham who was not called. When it is remembered that the accused, desired to have the photograph not for the reasons for which photographs are desired, but as evidence of his whereabouts on the 6th June, it is incredible that if he was really in Madras he would not have insisted on having the photograph taken on that day, even though the light were unfavourable, instead of waiting until the next day when it would be useless for the purpose for which it was really required. That there could be no real difficulty in insisting on the photograph being taken on the 6th is clear, for the manager of the shop was a friend of the accused's nephew and would certainly have been willing to take the photograph at 3 o'clock in the afternoon if informed that there was urgent necessity for doing so. It is, in our opinion, a most

pregnant fact that there is an unsatisfactorily explained delay in regard to each of the three transactions by which the accused has sought to prove his presence in Madras on the 6th June. The telegram (Exhibit 44) arrived and was sent out to be delivered to him at 8-40 on the evening of the 6th, but was not, in fact, delivered until the next morning. The office is quite close to the addressee's residence and no explanation for the delay is given. The bond is said to have been executed on the 5th June and might have been registered probably on that day or certainly on the 6th, but was not, in fact, registered until the afternoon of the 7th and the reason given is wholly insufficient. The photograph might certainly have been taken on the 6th, if the defence case is true, and the independent evidence of an European witness of the fact, as well as the books of the firm, might thus have been obtained to prove the *alibi*, but the photcgraph was, in fact, not taken until the 7th. All these facts, and the accused's failure to procure any other unimpeachable evidence of his presence in Madras, though alive to the necessity for doing so, leads strongly to the conclusion that he was not, in fact, in Madras on that day. There is, indeed, the evidence of the Sub-Postmaster of Egmore that the accused came to his office on the 6th June about 2 p.m. to ask if any money order had been received for him. This witness no doubt holds a responsible position and there is no reason shown for doubting his *bona fides*, but the accuracy of his memory may easily be at fault in such a matter after the lapse of so long a time. Neither it, nor the evidence of the barber who says he shaved the accused on the 6th June, can be held to be sufficient to outweigh the evidence of the numerous prosecution witnesses who gave their sworn depositoins within a few days of the riot and who had special reasons and facilities for observing the facts to which they deposed.

The conclusion at which we arrive is that the *alibi* set up is not true, and that the 3rd accused is guilty of actual participation in the riot as found by the Sessions Judge.

In view of this finding it is unnecessary to consider in detail the evidence regarding "the Manaseri incident". It is enough to say that we are disposed to concur in the Sessions Judge's finding in regard it also. The part which this accused is said to have taken in it, coupled with his previous history and the fact that he afterwards joined in the actual looting, is sufficient to lead to the inference that he abeted the outrages, although, as will appear further on, we are not prepared to hold in the case of the 93rd accused that the evidence given as to the part taken by him in the Manaseri incident is sufficient by itself to justify his conviction for abetment by conspiracy. As to the several accused who joined with the 3rd accused in this appeal, the Vakil stated that he had no instructions, and addressed no argument to us on their behalf. We are of opinion that their conviction of participation in the riot is right. We therefore dismiss this appeal, subject to our finding at the end of this judgment in regard to the charge of murder under Sections 302 and 149, Indian Penal Code.

CRIMINAL APPEAL No. 230

Sholai Naik, the 38th prisoner, is a Vishnuvite from Peralpatti village. The evidence against him consists of that given by the 29th and 51st prosecution witnesses. The 51st witness is shown to have named this man as one of those who joined in the riot in a statement (Exhibit L_2) given by him before the Sub-Magistrate on the 15th June. It is, however, clearly proved that this witness has strong grounds for enmity against the 38th prisoner. It is in evidence that about 20 days before the riot Subbiah Nadan, the brother of the 51st witness, robbed of certain property of a woman named Akkammal, the first cousin of the wife of the 38th prisoner. Subbiah Nadan is shown to have used considerable violence to the woman and he has for this crime been sentenced to 7 years' imprisonment. There is evidence, which we cannot see any grounds for discrediting, to show that the 38th prisoner took a great interest in the trial of this case, as indeed it was only natural that he should do. We have no hesitation in saying that the fact that this prisoner took an active part in the

prosecution of the brother of this witness detracts greatly from the weight which we might otherwise attach to his evidence. No great importance can be arrived to the evidence of the 29th witness. He never mentioned the 38th prisoner as having taken part in the riot until after he had been arrested and the Sessions Judge has, in the 46th paragraph of his judgment when dealing with the evidence given by this man against the 36th prisoner, expressed the opinion that he is a witness whose evidence requires corrobaration. Without, therefore, going into the evidence produced in proof of an *alibi* on behalf of the 38th prisoner, we must hold that the evidence for the prosecution is not such as to convince us beyond all reasonable doubt that he took part in the riot, and we accordingly acquit him and direct that he be set at liberty.

CRIMINAL APPEALS Nos. 280, 236 and 239.

Appeal No. 280 is a joined appeal by 12 persons, two of whom (the 24th and 35th prisoners) have filed separate appeals—Nos. 236 and 239.

8th prisoner :- The evidence against this prisoner consists in that given by the 26th, 27th and 56th prosecution witnesses who all depose that they saw him take an active part in the riot. Both the 26th and the 27th witnesses are shown to have mentioned his name as a rioter to the Deputy Magistrate on the 7th June. His defence is an *alibi*, but he admits that he was at Sivakasi on the morning of the riot. We have no hesitation in holding that he has been properly convicted and accordingly dismiss his appeal subject to the remarks made further on as to the conviction under Section 302, Indian Penal Code.

10th prisoner :- This prisoner is early shown to have taken a part in the riot and especially in the looting of the shop of the 47th prosecution witness. The witness, who lives in Sivakasi and who know this prisoner before the riot, and also the 32nd and 64th witnesses, identify him without hesitation. The attack on the shop took place, as far as we can ascertain from

the evidence, some two hours before noon. The defence is an *alibi*. This prisoner is said to have been present when document that had been executed in his favour was registered in Srivilliputtur at 2-30 p.m. on the 6th June. As this town is only 12 miles from Sivakasi, this evidence is worthless. We also remark that the Sub-Registrar cannot identify the prisoner as the man who brought the document for registration. We must dismiss his appeal subject to the provision already mentioned.

23rd prisoner :- This prisoner has been identifed as having taken part in the riot by the 35th and 48th prosecution witnesses. Both these men mentioned his name in the statements that they gave before the Deputy Magistrate on the 7th June. The prisoner states that he was employed as a Kurukkal under the Shanars and gave offence to them by refusing to give evidence on their behalf as to their right to enter the temple in Sivakasi. Of this, however, there is no proof. For the defence a mass of evidence has been produced but we agree with the Sessions Judge in not considering it to be of great value. It is quite possible that the prisoner may have gone to Srivilliputtur a few days before the riot, have taken a house there and kept his horse and jutka in that village. The greater part of the defence evidence does not in reality go to prove much more than this and it is not inconsistent with the prisoner having himself been in Sivakasi on the day of the riot. The additional evidence to the effect that the prisoner was actually seen in Srivilliputtur on the 6th and that the witnesses engaged his bandy and horse from him on hire on that day is evidence to which no very great weight can be attached. We dismiss his appeal subject to the proviso already mentioned.

24th prisoner (also appellant in Criminal Appeal No. 236) There is a mass of evidence against this prisoner and no defence of any value. His appeal is dismissed subject to the proviso as to Section 302, Indian Penal Code.

31st prisoner :- It is urged that the identification of this

prisoner by the prosecution witnesses is not clear and conclusive. Looking at the translations of the depositions of the 43rd and 55th prosecution witnesses, it certainly does appear to be somewhat doubtful if these men identified the prisoner before the Sessions Judge. When, however, we turn to the original Tamil depositions and the Judge's English notes, we find that they both these witnesses did distinctly identify this prisoner, although they both stated that they did not know his name. We must observe that the manner in which this prisoner and a number of others were identified before the Deputy Magistrate on the 12th June is very unsatisfactory. All that is recorded is that the witnesses identified 9 Maravars shown to them as having taken part in the riot, but the names of the men identified are not given. We however, are satisfied with the identification of this prisoner by the 42nd, 43rd, 49th and 55th prosecution witnesses before the Sessions Judge, coupled with his identification by the 43rd on 12th June (Exhibit B_2). The evidence as to *alibi* is worthless. We, dismiss this prisoner's appeal subject to the provision already mentioned.

35th prisoner (also appellant in Criminal Appeal No. 239) —We observe the Judge is mistaken in stating in his judgment that this prisoner's identification before the Police Inspector in July is proved by Exhibit $N._4$ series. In these exhibits there is no reference to this prisoner, and there does not appear to be any evidence that he was idenfified till he appeared before the Committing Magistrate in August. The evidence against him is weak and by no means conclusive. The 53rd witness is a man that admits that in broad day-light he can't see for a greater distance than 4 yards. Identification by such a witnesses knew this prisoner's name and it is certain that any knowledge that they had even of his appearance must have been very slight. None of them can mention anything definite that they saw him do on the day of the riot. The evidence does not satisfy us and we, therefore, acquit this prisoner and direct that he be set at liberty.

36th prisoner :- The evidence to prove that this man took part

in the riot consists of that gives by the 29th, 52nd and 53rd prosecution witnesses. As regards the 29th witness, we feel a great difficulty in coming to a conclusion as to whether he, at the time of the riot, or when be subsequently identified him, knew the name of this prisoner. In Exhibit C_1 recorded by the Sub-Magistrate on the 12th June, he gives the name of this man. When before the Sessions Judge he, according to the deposition recorded in Tamil stated that when he identified this man he knew his name, while that the Judge has recorded in his English notes is "36th accused was printed out by me. I only knew his name subsequently". We are, of course bound to follow the Tamil deposition recorded in full in preferance to the Judge's notes, but we also are obglied, in considering the question as to whether this witness really know this prisoner by name, to attach great impo,tance to his statement in his deposition before the Sessions Judge, when under cross-examination, to the effect that the only prisoners whose names he knew were the 37th, 89th and 92nd. Looking at in inconsistencies between the statements made by this witness in examination-in-chief and in cross-examination as to this point, we are bound to attach but little weight to his evidence. The 52nd is a Kurava boy of 16 years of age and he, before the Sessions Judge, did not know the name of this prisoner. As we have already pointed out the 53rd witness can see to a distance. of only four yards and no great importance can be attached to his identification. Without considering the *alibi* raised as a defence by this prisoner, we must hold that the evidence against him is not sufficient to justify us in upholding his conviction. He is acquitted and directed to be set at liberty.

Prisoners Nos. 37, 57, 67, 84 *and* 89 have been rightly convicted and we dismiss their appeals subject to the provision already referred to.

CRIMINAL APPEAL No. 281.

82nd prisoner :- The evidence against this appellant is very

meagre. He was not arrested till the 21st June, that is, 15 days after the riot. It is in evidence that on the next day 78 men from his village (Kondureddipatti) were shown to certain of the prosecution witnesses and that they then picked out this man and the 83rd prisoner from the crowd and stated that they had been concerned in the riot. Up till then no accusation had been made against this appellant although the 29th, 31st and 32nd prosecution witnesses had already given statements to the Deputy Magistrate. We observe from Exhibit A^{3}, a statement taken down from the 65th prosecution witness on the 7th June by the Deputy Magistrate, that he then said that some Nayaks of Kondureddipatti had broken into his house during the riot. When examined before the Sessions Court, however, he did not identify this prisoner as one of those Nayaks. Before the Sessions Judge the evindnce against this prisoner was that given by prosecution witnesses Nos. 29, 31, 32 and 58. The 29th witness said that he identified the 82nd prisoner but he did not know his name and could not mention anything that he did during the riot. The 31st witness says that he identified him but admits that he did not know his name or his village. A similar remark applies to the 32nd witness. The 58th witness states that he knew this prisoner and had frequently seen him in his village, Kondureddipatti, but he did not know his name. He also cannot mention anything that he saw this prisoner do during the riot. All this evidence. it must be admitted, is weak and far from conclusive. The evidence produced to prove an *alibi* on the part of this man is, at all events, as worthy of credit as that put forward for the prosecution. We remark that the 82nd prisoner is a Vishnuvite and that he the 38th prisoner whom we have already acquitted, and the 83rd prisoner are the only men of this persuasion who are charged in this case with having joined in the riot. The temple in Sivakasi, the dispute as to the right to worship in which has been. it is shown, the main cause of the ill-feeling that has been excited against the Shanars, is a Sivite emple and it is improbable that a Vishnuvite, such as the 82nd prisoner, would feel much interested in such a dispute. We think

that this fact may fairly be taken into consideration in weighing the evidence against him. As that evidence by no means convinces us that he joined in the riot, we acquit him and direct that he be set at liberty.

CRIMINAL APPEAL No. 282.

86th prisoner.- The evidence against this prisoner is that given by the 25th, 72nd and 77th prosecution witnesses. The 25th witness, in a statement (Exhibit X) given by him on the 13th June before the Satur Sub-Magistrate, mentioned this man as one of the rioters, giving his name as Muthu Tevan of Thevargulam. It appears that before the Sessions Judge an attempt was made to discredit the evidence of this witness by an assertion that he had said that a man named Kali Tevan, who it was alleged was the 92nd prisoner, was the son of the 86th prisoner. This argment was, however, based on a mistranslation of the witness. We find that what he really said was that there were among the rioters Muthu Tevan of Thevargulam and Kali Tevan of the same village, not Kali Tevan, son of Muthu Tevan. Before the Sessions Judge the 25th witness identified this man without hesitation, as also did the 72nd and 77th witness. We see no ground for rejecting this evidence. The defence is, as usual, an *alibi* and it is supported by evidence of no great value. It mainly consists of evidence given to show that on the 6th June the 86th prisoner bought a bull at a fair at Tiruppuvanam, a village in the Madura district about 50 miles distant from Sivakasi. To prove this, in addition to some oral evidence of no great value, Exhibits XLVIII and XLIX are produced. The former of these is a ticket alleged to have been given to the 80th prisoner on purchase of the bull, but, as no book containing the counterfoil of this ticket is produced, the ticket cannot be held to add anything to the value of the oral evidence of the man who gave it. The entries in it may easily have been made after the riot. Exhibit XLIX is a manuscript book showing certain details as to cattle sold at the fair. It does not appear that this book has ever been inspected by any one, and there is no evidence, except the assertion of the writer, that it was kept under the orders of any person in a position empowering him to order it to be maintained or that it was not written up from first

to last when the necessity of evidence to this alleged sale of a bull was required. The vendor of the bull has not been produced. As we see no grounds for discrediting the case for the prosecution and as the *alibi* cannot be held to have been proved, we dismiss this prisoner's appeal subject to the proviso hereafter set forth as to Section 302, Indian Penal Code.

92nd prisoner.- Against the 92nd prisoner the case for the prosecution is remarkably strong and in support of his *alibi* the evidence is even weaker than that given for the 86th prisioner with whom he is alleged to have been when the bull was purchased. His appeal is dismissed subject to the proviso already mentioned.

CRIMINAL APPEAL No. 283.

93rd prisoner.- This prisoner-Nagappa Talavan-belongs to Manaseri village. He has not been convicted of any substantive offence but only of abetment. The case against him relates to what is termed the "Manaseri incident" which has been alluded to in considering the case against the 3rd prisoner. The evidence relating to this matter is that given by the 7th, 11th, 12th and 13th prosecution witnesses. They state that they went to Manaseri on the 26th May. They met the 93rd prisoner and he, at their request, brought out the 3rd prisoner and one Vellia Tevan and they all discussed matters together. The witnesses told these men that they had heard that Sivakasi was to be plundered, and requested them to prevent this being done. The answer to this was that unless the Shanars gave up their attempts to enter the temple, ceased to ride in palanquins & c., and paid Rs. 10,000, the intended looting of Sivakasi must take place. The witness would not agree to these terms and so the matter ended. On the strength of the evidence given before him as to this conversation, the Sessions Judge has convicted this prisoner and sentenced him to rigorous imprisonment for 10 years. We are not prepared to say that we do not believe that this conversation ever took place and that all the evidence relating to it is false, but we are most decidedly of opinion that it would be very dangerous to uphold a

conviction based solely on this evidence against a man who not shown by any other evidence to have taken any part in the arrangements made for the sacking of Sivakasi and who, it is admitted, was not present at the riot, especially when we take into consideration the very late date at which this Manaseri evidence was first mentioned. The 93rd prisoner is not shown as an accused person in the charge sheet of the 20th June. His name is first to be found in the charge sheet of the 8th July and the witnesses that are there mentioned as being able to depose against him are not those examined before the Sessions Judge as to what happened in Manaseri but certain persons who are put forward as able to depose to a matter in no way connected with that incident. Of the present charge and of the 7th, 11th, 12th and 13th witnesses, in so far as their evidence relates to Manaseri, nothing was heard till this case was before the Committing Magistrate in August. We are not prepared to uphold a conviction based on nothing but evidence as to a conversation alleged to have been held in May which was for the first time brought forward 3 months afterwards. We acquit the 93rd prisoner and direct that he be set at liberty.

CRIMINAL APPEALS Nos. 231 TO 234, 237, 238, 240 TO 248, 276, 277 AND 382 TO 390.

In these appeals the accused (other than Nos. 7, 18, 47, 71, 84 and 86 whose cases have already been disposed of by as in Criminal Appeals Nos. 226, 280 and 282) have not appeared, or caused any argument to be addressed to us in support of their appeals. On perusing the judgment of the Sessons Judge with the assistance of the Public Prosecutor, we are of opinion that the conviction of these accused persons is right and we dismiss their appeals, subject to the reservation below with regard to Sections 302 and 149, Indian Penal Code.

With regard to the offences of which the appellants in the several appeals before us have been convicted by the Sessions Judge on what he calls "the general charges," the gravest is that under Section 302 read with Section 149, Indian Penal Code. The latter Section runs as follows :-

"If an offence is committed by any member of an unlawful assembly in prosecution of the common object of that assembly, or such as the members of that assembly knew to be likely to be committed in prosecution of that object, every person who, at the time of the committing of that offence, is a member of the same assembly, is guilty of that offence."

All the persons convicted by the Sessions Judge (except the 93rd accused) have been convicted of murder on the strength of this Section, but the Sessions Judge has not imposed the sentence required by law on persons guilty of murder. The sentence for that offence is death or transportation for life. The Sessions Judge has imposed the sentence of death only on those accused persons who were severally convicted of specific acts or murder. Their appeals were dealt with by us some time ago. He has imposed the sentence of transportation for life on the 3rd and 6th accused who were leaders of the anti-shanar party. On the other offenders he has imposed a sentence of 10 years' rigorous imprisonment for the graver, and two years' rigorous imprisonment for the lesser, offences, in the majority of cases, and in the case of three old men and eight who were very young, he has imposed a sentence of five years' rigorous imprisonment. The Public Prosecutor has not applied to us on behalf of Government to enhance any of the sentences on the ground that they are less than those appointed by law for the offences of which the accused have been convicted nor have the Vakils for the appellants argued before us that the accused, even if guilty of participating in the riot, are not guilty under Section 302 read with Section 149, Indian Penal Code. On considering all the circumstances, however, we are not prepared to say that it is certain beyond all doubt that the common object of the unlawful assembly of which the accused were members was murder, or that the members knew that murder was likely to be committed in prosecution of their common object. It is, we think, certain that the common object of the offenders was to burn and pillage the town, *i.e.*, to commit arson and dacoity, and probably crimes of violence against the person of such shanars as should resist. The carrying of guns and bill-hooks by some of

the crowd might indicate that they also intended to commit murder, or knew that murder, was likely to be committed, but the crowd generally, numbering, as it did, several thousands of persons from many different villages, may not have had this intention or knowledge, and we think we are at liberty to give them the benefit of such doubt as exists. We, therefore, acquit the appellants now before us of the offence of murder punishable under Section 302 and 149, Indian Penal Code; but we find that the appellants, other than those whom we have already acquitted, are guilty of the other grave charges of which they have been convicted by the Sessions Judge. The sentences are, we consider, appropriate and do not require revision. We confirm them.

In conclusion we wish to record our appreciation of the care and completeness with which the Sessions Judge has set forth and analysed the great mass of evidence recorded in this case, whereby our examination of it has been greatly facilitated.

Ordered accordingly. *

Dy. Registrar,
Appellate Side.

மத்திய நூலகம்,

* Judicial Department, G.O. 1339, 17 September 1900.

APPENDIX, II

Letter from J.P. Heweett, Secretary to the Government of India, Home Department (Police), to the Chief Secretary to the Government of Madras, 3rd February 1900, Calcutta.

I am directed to refer to the correspondence ending with your letter No. 2018, Judicial, dated the 12th December 1899, and to say that the Government of India have read with surprise and regret the account of the disturbances which occurred between the Shanars and the Maravars in the Tinnevelly district in 1899.

2. It appears that for more than 20 years the Shanars, by their attempts to attain a standing in Hindu society higher than that hitherto allowed to them by other castes, have excited against themselves feelings of jealousy and dislike, especially on the part of the Maravars-a class prone by nature and tradition to acts of violence. The ill-feeling towards the Shanars has assumed a more or less acute form since 1895 in the tract of country in the neighbourhood of the temples at Sivakasi in the Tinnevelly district and Kamuthi in the Madura district. In July 1898, owing to an attempt of the Shanars to enter the Siva temple at Sivakasi the Police there had been strengthened. In August 1898 a riot took place in which the Police fired shots in the air. At the end of Oct. 1898 the local Deputy Magistrate dismissed the case of trespass which had been brought against the Shanars as absolutely false. The view taken by the people of this case was that the authorities had declared in favour of the Shanars, and the result was that the managers at once closed the temple, which is one of some importance, to all worshippers. In December 1898 the Deputy Magistrate convicted six Maravars of having been members of an unlawful assembly in August, and sentenced them to two months' rigorous

imprisonment each. This decision was subsequently quashed by the Sessions Judge, who ordered a re-trial of the accused for the offence of rioting.

3. No other actual collusion appears to have occurred between the parties till the 26th April 1899, when the Shanars of Sivakasi, the population of which town consisted of about 10,000 Shanars, 1,500 Muhammadans, 500 Maravars and 150 Christians, attacked and practically destroyed the Maravar quarter of the town. Although a large number of people of both parties were engaged in the fight, only five persons appeared to have been injured. The Police again fired into the air, whilst the Deputy Magistrate, who was holding his Court a furlong away, refused to go to the spot. This last act of aggression caused the Maravars for many miles round to determine on revenge. They settled upon the destructron of Sivakasi and fixed the date for their retaliation. The station force of Police was on the 27th April reinforced, under orders of the Superintendent of Police, so that it then amounted to three head constables and 30 constables in all; but nothing was done by the authorities during May. Meanwhile the Maravars' preparations went on and serious dacoitis and outrages were committed by gangs of them in the neighbouring taluk of Srivilliputtur. The Christians of Sivakasi knew of the plot, and concluded an arrangement with the Maravars, by which in the coming fight they should be treated as neutrals. Finally, Sivakasi was attacked by a large body of Maravars and others. Fire-arms were used by both parties in the encounter, and on the morning of the 6th June 18 men were killed and a large number wounded, of whom three died almost at once: 886 houses were destroyed and a considerable amount of property was stolen. The Maravars, however, were beaten off. Large bands of Maravars continued for some days to move about the district burning and looting Shanar villages. Owing to the energetic action of Mr. J. P. Bedford, who took over charge of the Tinnevelly district on the 8th June, and to the calling out of the troops, order was restored by the 16th idem. Simultaneously or shortly afterwords various Shanar villages in the Tinnevelly and Madura

districts and in Travancore were attached and injured by fire, whilst many Shanars were ill-treated and despoiled of their property.

4. In their Order, No. 1818, Judicial, dated the 15th November 1895, the Government or Madras state that the deliberate attack on Sivakasi town by a large armed mob of Maravars collected from nearly all the surrounding villages within a radius of 20 or 30 miles was an occurrence so entirely without precedent, and that the warnings of it were so vague and difficult to verify, that they are not disposed to take a harsh view of the failure of the Acting District Magistrate, Mr. E. Scott, and the District Superintendent of Police Mr. F. A. Dene, to realize beforehand the gravity of the siuation. The Government of India regret that they cannot associate themselves with the Madras Government in this opinion. It appears to the Governor-General in Council that the district officials had ample warning of what was likely to happen, and that the acts of "wholesale murder, bloodshed and arson" which were committed in June last might have been prevented, or at least largely mitigated, but for the incompetence and indifference of those officials.

5. I am first to allude to the conduct of Mr. A.W.B. Higgens, who was Collector and District Magistrate of Tinnevelly from 1895 till the 23rd November 1898, when he was promoted to be a Member of the Board of Revenue. Paragraphs 9-29 of the report of the Inspector-General of Police, who was appointed by the Government of Madras as Special Commissioner to inquire into the disturbances, refer to this officer. It is there stated that Mr. Higgens failed to realise in any way the gravity of the situation. The Special Commissioner is inclined to excuse this on the ground of the misleading reports made by the incapable Deputy Magistrate Saiyid Mustafa Sahib, who has since been reduced and deprived of magisterial powers. But the Government of India doubt whether the facts stated justify Mr. Hammick's view. The dispute had admittedly existed in an acute form since 1895, and in July 1898 had become so intensified that a special force of

armed Police had to be stationed at Sivakasi. Communications were made to Mr. Higgens by the Deputy Magistrate on 23rd and 30th July and 4th August 1898, which clearly showed a state of great tension in Sivakasi, and a riot actually occurred on August 3rd, 1898. Mr. Higgens appears to the Government of India to to have exercised little or no supervision over the Deputy Magistrate's proceedings, since he did not insist on the leaders of both sides being bound over to keep the peace, and permitted the Deputy Magistrate to delay inexcusably in disposing of the cases connected with the riot in August 1898, and of the petition from the trustees of the temple asking for the issue of an order under section 144 of the Criminal Procedure Code forbidding the Shanars to enter the temple. The latter petition had not been disposed of when Mr. Higgens made over charge of the district on November 23rd, 1898, and it would appear from Mr. Scott's explanation that Mr. Higgens gave him no information as to the state of feeling in Sivakasi, and left no note or memorandum showing that any disturbance was anticipated. Mr. Higgens is an officer of considerable service; he had been in the district for four years; the District Superintendent had only been there for about a couple of months, and Mr. Scott was a comparatively junior officer of 12 years' service. I am to say that the conduct of Mr. Higgens appears PRIMA FACIE to the Government of India to be seriously culpable. I am to request that he may be furnished with the necessary correspondence, and that any explanation he may have to offer may be obtained and forwarded to the Goverment of India with the opinion of the Governor in Council upon it.

6. The conduct of Mr. Scott must be considered under two heads, viz., his want of energy while in charge of the Tinnevelly district and his departure on leave on 8th June immediately after the last riot at Sivakasi. After considering the former question, the Government of Madras have expressed their opinion that, although the vagueness of the rumours as to the intentions of the Maravars and the quite unprecedented character of the outbreak may be accepted as some palliation of his failure io realize the gravity of the situation, he cannot be exonerated from serious

blame in not having acted on the warnings which he received from various sources, and especially from the incidents of the riot that took place on the 26th April, by adopting strong measures of precaution and prevention. For this the Governor in Council has recorded his sense of Mr. Scott's shortcomings, and has passed a severe censure upon him. It appears to the Government of India that Mr. Scott had ample warning to enable him to prevent the outbreak which occurred in June 1899. The seriousness of the state of affairs at Sivakasi was fully described in the diary of Mr. Cardozo, Assistant Superintendent of Police, who visited the town on the 29th April. The only action Mr. Scott took upon this report was to call for an explanation of the Deputy Magistrate on the 4th May. It was clearly Mr. Scott's duty to go at once to Sivakasi, which appears to be a place of easy access. But he did not go there till the 31st May, when he did nothing and found out nothing, though during the month since this riot he had received reports, petitions and telegrams which were quite sufficient to show that special measures were required. His order of the 4th June after his return from Sivakasi, quoted in Paragraph 42 of the Special Commissioner's report, upon the Deputy Magistrate's note asking for more Police, appears to the Government of India to show scandalous incompetence. His explanation in no way improves his case, passage after passage indicates that he imagines that the whole duty of a District officer is to receive such information as that he was wholly failed to realize the responsibility of a District officer for the efficient working of his Deputy Magistrates and his Police, as for that of other branch of his district administration.

7. The facts regarding Mr. Scott's giving over the district on the 8th June cannot be more forcibly expressed than in the words of the Government of Madras. On his arrival at Sivakasi on the afternoon of the 6th June, Mr. Scott became apprised of the magnitude of the rioting which had just taken place. The town was still in flames, and he himself reported that he had seen 14 dead bodies collected from different parts of it and that eight Shanars had been

brought to hospital seriously injured, three with gun-shot wounds. In his telegram to Government despatched from Sivakasi Mr. Scott reported that Virudupatti was threatened and that he had wired to Trichinopoly for half a company of sepoys to go there. Mr. Scotts, return to Tinnevelly at such a juncture appears to the Government of Madras to have been wholly without excuse. The total number of the killed and wounded at Sivakasi had not been ascertained; no steps had been taken to secure evidence against the ringleaders; and Mr. Scott, on his own showing, had reason to distrust the efficiency of the Deputy Magistrate, Sub Magistrate and Police. He had also reason to apprehend that a similar attack on a neighbouring town was impending. Nevertheless he left Sivakasi on the afternoon of the 6th, the day on which the town had been sacked and burnt, after a stay of atmost a few hours; and on the 8th June, without making any reference to Government, Mr. Scott gave over charge of his office to a junior officer and proceeded on the privilege leave which he had been granted. who did not know the district and had never acted as a District officer before. In his report to Government, dated the 7th June, Mr. Scott repeated his information that Virudupatti was in danger of being looted. He added that he understood that disturbances had occurred in other villages; that he himself on his return journey had seen a burnt village from the train; that he had wired for sepoys to be sent to Sivakasi in consequence of a report that the Police were refusing to do duty; and that a further report would be submitted as soon as more detailed information was available. This report shows, the Madras Government observe that Mr. Scott, had good reason to believe that the wholesale murder, bloodshed and arson which he had witnessed and left uninvestigated at Sivakasi were likely to be repeated in other parts of the district, but notwithstanding this he abandoned his post on the plea that there was nothing to be done which could not be done as well by his successor as himself. The Government of Madras were unable to accept the excuses offered by Mr. Scott, among which was that "to have postponed his leave would have caused him great inconvenience", and have recorded their opinion that, in

quitting his post at so critical a time, he displayed a lamentable want of that judgement, discretion and sense of duty which the Government has a right to expect in an officer holding the important position of District Magistrate.

8. Mr. Scott was the officer who was directly responsible for the peace of his district and the lives of his people; he abandoned his post at a juncture when the most rudimentary sense of duty should have forbidden him to do so; and the Government of India entirely agree in the indignation expressed by the Governor in Council at the conduct of this officer, which appears to them to have been unworthy of a member of the service to which he belongs. They are, however, unable to agree in the opinion entertained by the Governor in Council as to the due measure of punishment to be inflicted for so gross a dereliction of duty; nor can they regard sentence passed upon Mr. Scott, viz., that he will not again be the appointed to officiate either as District Magistrate or as District and Sessions Judge for a period of one year from the date of his recent return to duty, and that his promotion thereafter will depend upon his regaining the confidence of Government, as in any way commensurate with the extreme gravity of the offence. They are of opinion that his punishment must be such as to indicate clearly the very serious light in which the Government regard his behaviour; and they direct that Mr. Scott, whose substantive appointment is that of Sub-Collector and Joint Magistrate, be reduced to the bottom of the list of members of the Indian Civil Service of the year below his own, or below Mr. A.T. Forbes, and that he is not to be confirmed as a Collector, or as a District and Sessions Judge, until he has shown by atleast two years' trial as such that he has realized the nature of his duties and responsibilities in a superior post more adequately than he did when acting as Collector of Tinnevelly. I am to request that the necessary steps may be taken to carry out this order, and that it may be communicated to Mr. Scott.

9. The Special Commissioner states that Mr. Dene, the Acting District Superintendent of Police, owing to weakness

of character, accepted the District Magistrate's view that too much was being made of the matter. The Government of Madras, while not unwilling to allow weight to this opinion, are unable to acquit Mr. Dene of failure in the discharge of one of the most important duties of an Officer of Police viz., that of discovering the existence of impending disturbance and of taking resolute measures for checking it. Mr. Dene, the Madras Government observe, should have warned the District Magistrate of those facts of the situation which were admittedly within his knowledge, instead of leaving the District Magistrate to glean information simply from remarks in his diary. The Governor in Council has felt compelled to regard with displeasure Mr. Dene's conduct on this occasion and to record his censure upon him. I am to observe that after the riot of the 20th April, which entirely changed the position of affairs and undoubtedly led to the disastrous outbreak that followed, Mr. Dene, who had been previously warned of the facts of the occurrence by Mr. Cardozo's diary, went to Sivakasi and stayed from the 4th to the 7th May. Yet his visit there resulted in nothing, and even on the 2nd June, though much had been happening all through May, he passed an order on the diary of the Inspector who reported the seriousness of affairs, which showed his utter failure to grasp the situation. The Government of India consider, I am to say, that Mr. Dene's conduct calls for some substantive punishment beyond the censure that has been passed on him. He is, it appears from the Madras Civil for January 1900, an Assistant Superintendent of the Ist grade, at present acting as a District Superintendent of Police. I am to request that he may be debarred, for a year from the receipt of this letter, from acting as a District Superintendent of Police.

10. In paragraphs 11 and 14 of their Order, No. 2017, Judicial, dated the 12th ultimo, the Government of Madras allude, in connection with this case, to the frequent changes which had occurred during the year preceding the late riots in the personnel of the district staff. As regards the District officers, I am to inquire

why on Mr. Higgens' promotion it was not possible to post a more capable and experienced officer than Mr. Scott to the large and important district of Tinnevelly, where it was known that the smouldering condition of this caste dispute was a constant source of trouble, as the Inspector-General of Police had reported to Government in 1895. I am also to say that Mr. Hammick's report does not show that all the six changes in the office of District Superintendent between the Ist January 1898 and 24th Septembar 1898 and the seven changes in the Police charge of the sub-division between the Ist January 1898 and the 25th May 1899 were unavoidable, and to ask for a fuller explanation of the necessity for all these changes.

11. Turning to the question of the additional Police who have been quartered in the disturbed area in accordance with the provisions of the Police Act (V of 1861, as amended by VIII of 1895), I am to say that the Government of India agree with the Governor in Council in holding that the ill-feeling has only been temporarily suppressed and not extinguished. The large additional force now employed has been notified for a period of five years, and the Government of India will recommend to the Secretary of State that it be sanctioned accordingly. I am, however, to ask that the Madras Government will report, after it has been employed for three years, whether it is necessary to retain the whole or any part of it any longer.

12. The Government of Madras propose to exempt no class from payment for the additional force. The Government of India agree with the Governor in Council in deprecating any attempt to distinguish too minutely in such cases, but they are unable to accept the argument that the well-behaved should share the cost of special arrangements found necessary to protect them against disturbance. I am to suggest for the consideration of the Governor in Council that it would be well to assess Muhammadans, only in places such as Sivakasi and other towns in which they are found to have actually participated in the dispute. *

* Judicial Department, G.O. Nos. 529-530, 14 April 1900.

APPENDIX. III

Legislative Council Question: 1905

Question No. XVIII, a. Is it a fact that one Pera Sinnanna Nadar of Sivakasi despatched the following telegram on the 5th of June 1899, i.e., the day preceding the riots to the Superintendent of Police of Tinnevelly?

"After honour's visit here on the 31st May I hear Iyempati, Karvisalkulam, Kongankulam, Kattanarpati, Satisarati, Aneikuttam are plundered day time by Maravars, Kallars, Pallars being helped by other caste people. Pushakavatti, two miles from here was plundered yesterday. My caste people only sustain loss. Notice to the effect that Sivakasi will be plundered on the 6th Tuesday is known. My caste people fear as no precaution and after attempt are taken by native officials here to the people whose properties are plundered. I have seen mobs, 200-300 in number. I humbly crave honour to take immediate steps before plunder and murder. Notwithstanding crying for protection of persons and property, by wire and petitions, your honour did not believe the facts,but if your honour be pleased to stay here for a few days, evidence will be personally known. There will be no plunder and murder at all if your honour be pleased to arrest Vellia Thevan alias Veerappa Thevan, Naduvapatti and Vendar Arumugam Pillai, Sivakasi".

b. Is it a fact that the same person despatched on the same date i.e., the day preceding the date of the riots at Sivakas the following telegram to the District Magistrate Tinnevelly ?

"I crave honour sufficient protection of person and property is indispensable to Sivakasi Nadars from marauding of Maravars and their addition which will commence 6th Tuesday morning as several adjourning villages have been plundered and theirb ooties are carried in carts only in day time. Government native officials here take no steps before or after. Honour's presence with Police Superintendent is indispensable here for a week atleast from Monday. Cause of plunder and murder by Maravars and their addition in several villages is higher authorities disbelieving telegrams and petitions of my innocent caste people at beginning but believing words and tricks of Government native officials here. There will be no plunder and murder elsewhere, if Vendar Arumugam Pillai, Vellia Thevan, Naduvapatti are arrested. Sivakasi Nadars tremble that mobs have fixed Tuesday for their plunder and murder as the mobs have already fulfilled their mischiefs in several villages according to their words. Precaution is indispensable before plunder and murder".

c. Is it a fact that the Assistant Superintendent of Tinnevelly recommended towards to the end of April last, that a Magistrate should be stationed at Sivakasi in view of the strained relations between the Shanars and other classes and what action was taken upon such recommendation if it had been made ?

d. Is it a fact that the District Magistrate and the Superintendent of Police visited Sivakasi on the 31st May and the Sivakasi on the 31st May and the 5th June 1899 and that the Police Inspector Parthasarathi Aiyengar had reported to them that Sivakasi would possibly be attacked on the 6th of June 1899?

e. What was the Police force available at Sivakasi on the day of the riots and what part did they take in the suppression of the riots?

f. Is the following open speech of Mr. Sankaran Nair, Government Pleader, made in the court of Additional Sessions

Judge of Tinnevelly in the trial of Sivakasi rioters, Vadigada Thevan and 92 others, correctly reported by the *Madras Mail* in its issue of the 13th October 1899 ?

"The situation was considered so serious that the Sub Magistrate of Virudupatti was stationed at Sivakasi till about the end of May. From the end of April negotiations were going on between the Shanars and Maravars in view to an amicable settlement of the dispute but to no purpose. The missionaries of Sackiapuram did what they could but the Maravars insisting on the exclusion of the Shanars from the temple nothing came of it. But they obtained pledges of immunity for themselves-pledges that were faithfully kept. Towards the end of May, matters became more serious. From acts of lawlessness on the part of individual Maravars and Shanars, it came to a matter of riots between the Maravars as a class and Shanars as a class. The public roads were rendered unsafe and villages were attacked wholesale and all sorts of serious offences were perpetrated. The first of such riots attended with dacoity & c., occured on the 23rd May and cases continued to occur on the following days. On the 24th, 26th, 27th, 29th and 30th villages were thus attacked. On the 31st May two villages were attacked two others again on the Ist June, four on the 2nd June, three on the 4th June, two on the 5th June and four on the 6th June exclusive of the big riot at Sivakasi. A point about these riots was that the earlier riots occured at night, but owing apparently to the fact that the inquiries made into these earlier riots were not efficiently full and complete to observe the rioters, the latter became more and more bold and reckless and from midnight dacoities they ventured on broad day light dacoities. On these occasions it was only the Shanars who were attacked, the other classes either joining the attacking force in the plunder or quietly looking on. The Nadars meanwhile were not idle but were keeping the authorities by telegrams of their fears. From the 26th May such telegrams were sent to the District Magistrate, the Superintendent of Police and the deputy Magistrate. The prosecution case was that the authorities were, as a matter of fact, kept informed of what was alleged

to be going on. The question whether the information conveyed ought or ought not to have impressed the authorities with the seriousness of situation was one with which the prosecution was not concerned. The prosecution was content to show that the plans for the attack of Sivakasi were long maturing, that the ringleaders concerned were acting openly and that the very day and hour of the intended attack were known previously. Besides the Shanars, the Christian missionaries were aware of what was going on and what was to take place at Sivakasi. There were on the spot a Sub-Magistrate and a Police Inspector, they knew of what was going on. They kept the Divisonal Magistrate informed of the state of things and they told the Divisional Magistrate and the Superintendent of Police that Sivakasi was to be attacked on the 6th June. The Sub-Magistrate officially within whose jurisdiction lay the villages that were attacked before the 6th June had informed the Divisional Magistrate that all these attacks were due to the feeling against Sivakasi Shanars, and it was also on accord that these attacks before the 6th June were by the smaller gangs that were gathering for the attack of Sivakasi. The information was available early enough in point of time and with sufficient fullness as to details to support the prosecution case that the attack was deliberately planned and carried out".

g. With reference to the matters disclosed in clauses (a to f) of this question, will Government be pleased to state whether any and what precautionary measures were taken by the district authorities for the purpose of preventing the riots ?

h. Will Government be pleased to furnish information on the following points ?

i. Number of persons killed at Sivakasi on the 6th June 1899, the date of the riots.

ii. Number of persons fatally wounded on the above date, and who died subsequently?

iii. Number of persons wounded on the above date, but subsequently recovered.

iv. Number of house and other buildings burnt or otherwise destroyed at Sivakasi on the above date.

v. Extent of other losses caused by the rioters at Sivakasi on the above date in the matter of cattle, grain, money and jewels etc. *

On 19 th December 1899 as reply to the above questions the Government cited the relevant portions of Hammick's report.

* The Hon'ble M.R.R.Ry. P. Ratna Sabhapati Piilai, Judicial Department, G.O. 1813, 14 November 1899.

APPENDIX. IV

No.	Details of punishments	No. of persons convicted	Remarks
	By Sessions Court		
1	Capital punishment	7	
2	Transportation for life	2	
3	Transportation for 10 years	2	
4	Transportation for 7 years	2	
5	Rigorous Imprisonment for 12 years	66	
6	,, ,, 11 years	3	
7	,, ,, 10 years	1	
8	,, ,, 9 years	45	
9	,, ,, 8 years	4	
10	,, ,, 7 years 3 months	1	
11	,, ,, 7 years	22	
12	,, ,, 6½ years	30	
13	,, ,, 6 years	30	
14	,, ,, 5½ years	15	
15	,, ,, 5 years	65	
16	,, ,, 4 years	74	
17	,, ,, 3½ years	6	
18	,, ,, 3 years	47	
19	,, ,, 2 years	4	
20	,, ,, 1 year	1	
21	,, ,, 6 months	6	
22	,, ,, 3 months	1	
	TOTAL	434	

No.	Details of Punishments	No. of persons convicted	Remarks
	By Magistrate's Court		
1	Rigorous imprisonment for 2 years	26	
2	,, ,, $1\frac{1}{2}$ years	14	
3	,, ,, 1 year	53	
4	,, ,, 6 months	8	
5	,, ,, 3 months	5	
6	Whipping (15 stripes each)	2	
7	Fine (Rs. 5/- each)	2	
8	Security to keep the peace or to be of good behaviour for a period of one year	148	
	TOTAL	258	

Acting District Magistrate

No.	Amount of security	No. of persons convicted
6	Rs. 2000	1
2	Rs. 1000	2
3	Rs. 500	2
4	Rs. 400	2
5	Rs. 350	50
6	Rs. 150	1
7	Rs. 100	77
8	Rs. 50	3
	TOTAL	148

With one or two sureties for Rs. 50 to Rs. 500 in each case.

Dated 1-12-1900*

* Home Department, Police, Proceeding, January 1901. Nos. 63-64.

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மத்திய நூலகம்,

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